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Journal of the Legislative Council of the Territory of Florida.

At a Session, begun and held at the City of Tallahassee, on Monday the 3rd. day of January, in the year of our Lord, One thousand eight hundred and thirty one, the following gentlemen appeared, viz

From	St. Johns and Mosquitoe	William H. Allen, and Simeon Sanchez, Esqrs.
From	Nassau.	William Braddock, Esqr.
From	Duval	John Warren Esqr.
From	Alachua	James Dell Esqr.
From	Jefferson, Hamilton and Madison	Abraham Bellamy Esqr.
From	Leon	Nathan Byrd and Thomas M. Bradford Esqrs.
From	Gadsden	James A. Dunlap and Stith F. Jones Esqrs.
From	Jackson	Peter W. Gautier Jr. and Matthew Hodges Esqrs.
From	Washington and Walton	John P. Booth Esqr.
From	Escambia	Edward L. Drake and Benjamin D. Wright Esqrs.

Who, having been duly qualified, according to law, by the Honble. Thomas Randall, took their seats.

Mr. Sanchez having been called to the chair, the House proceeded to organize itself.

Mr. Bellamy was elected President, and conducted to the chair.

John K. Campbell was elected Chief Clerk and James Bryan Sergeant at Arms, with Simeon Dell door-keeper.

Mr. Allen moved that the President nominate a committee to prepare Rules for the government of the House. Messrs. Allen, Wright and Dunlap were nominated.

On motion, the Sergeant at Arms was directed to employ some competent person to inspect the Capitol and report his opinion of its situation.

Mr Bradford offered the resolution following:

That the Council will elect two enrolling clerks and one printer-engrossing clerk, who shall engross the bills by printing them, agreeably to the order of the Council.
On motion of Mr. Dunlap, the same was ordered to lie on the table until to-morrow.
On motion of Mr. Sanchez a committee was appointed to wait on the Governor and inform him that the House was organized and ready to receive any communication he might wish to make.
The House then adjourned until to-morrow 10 o'Clock.

Tuesday 4th. Jan. 1831.

The House met pursuant to adjournment, and a quorum being present, on motion of Mr. Sanchez, the reading of the minutes of yesterday was dispensed with.
Mr. Richard Fitzpatrick, from Monroe county, appeared, was qualified and took his seat.
The message following, was received from the Governor, and having been read, on motion of Mr. Gautier, five hundred copies were ordered to be printed.

Executive Office,
Tallahassee, Jan. 4th. 1831.

Gentlemen of the Legislative Council,

Among the various duties incident to my office, the transmission of the annual message to the Legislative Council, though requiring time and mature deliberation, is always performed with the greatest alacrity and pleasure. Pleasure, not derived from a confidence in the superiority of my own political judgment, but from the interchange of opinion and views with the intelligent representatives of a free people. A people on whom it has pleased the Almighty dispenser of all good to bestow, not only that rational liberty hitherto only sketched in the ideal government of Utopia, but a climate more salubrious and skies more brilliant than those of the most favoured regions, and a fertile country, teeming with the rich productions of the Indies.

It is a subject of gratulation to the people of Florida, that the only cloud that obscures our sunny prospect, is fast dispersing by the wise and humane policy of the Government, in permanently settling the various Indian tribes west of the Mississippi. This policy, though now denounced as cruel and wicked, by those opposed to the present administration, has been repeatedly & ardently urged on the consideration of Congress, by presidents Monroe and Adams, and many of those, who now censure the measure, were then among its most strenuous advocates. I rejoice that the distinguished Commissioners, appointed by the President, have succeeded in forming treaties with two powerful tribes, the Choctaws and Chickasaws.— the remaining tribes will probably follow their example. Thus the remnant of those numerous nations, that roved, free as air, over this wide Continent, may yet, by the humanity of the Government, be saved from total annihilation.

From the partial returns of the Census of Florida, which the Ex-

executive has been enabled to obtain, if our whole federal numbers be not sufficient to entitle Florida to admission into the Union, our rapidly increasing population will soon guarantee to us this inestimable privilege. In the mean time, as works of internal improvement may be executed by the Government of the Union, without violating the Constitution of the United States, we should not be remiss in petitioning Congress to extend to us its kindness and munificence; nor can we, in thus acting, be reproached with a selfish policy; for our Territory is so fortunately situated, that there can be no great work of internal improvement among us, which not be more properly of a national than of a local nature.

I must again urge upon the Legislative Council the necessity of an entire revision of the laws of the Territory. The body politic labours under a plethora of legislation and requires depletion. Some partial good was effected by the revision of 1828 — but owing to the limited powers delegated to the revisor of the Laws, the repeal of some of the best acts of the Revised Code, and the enactment of many subsequent laws, repealing, either expressely or virtually, the revised acts of 1828, there has ensued a degree of confusion and anomaly in our laws, rarely to be found in the statutes of any other legislature. This communication would swell into a volume, were I point out all the defects of our laws; in fact, much less time would be occupied by designating those acts which should be continued in force, than those which should be repealed; — but I will particularly call your attention to two acts which should not be found among the laws of this Territory, viz. "An act relating to crimes and misdemeanors;" and, "An act providing for the adoption of the common and Statute laws of England."

The first act not only wants conciseness and perspicuity, but there has been an unfortunate attempt to give new definitions and explanations of offences at common law, and to common law terms. These terms and offences have long since been defined by the Common Law; and the acquiescence of courts of law and of legislatures, for many ages, should have stayed the hand of hasty innovation. I do not intend to intimate that error is entitled to respect, because it is hoary; but in law, as in every other science, there must be terms of precise meaning. These constitute the basement, upon which the temple of jurisprudence is erected; destroy it, and the whole edifice, the work of time, of study and the skill of many ages, must fall into ruins. The second act which I have mentioned, is obnoxious to the people of Florida — not for introducing the Common Law — but for enacting the statute law of England, of a general nature, prior to the 4th July, 1776. — It was said of the Emperor Caligula, that his laws were written in small characters and suspended from lofty pillars — a snare, by which his subjects, unable to read or understand what was ordered, might incur the penalties that would follow the violation of those laws. Though we are not actuated by the same motives, the same evil results to the people. How can we expect the citizens of Florida to act in obedience to laws, contained in the vast tomes of English Statutes, which they have never seen? Many of these laws, though genial, are obsolete even in England; and, from the genius of our government, must not only be inapplicable, but oppressive and degrading to our free citizens. I earnestly recommend to the Legislative Council, to follow the wise example of New-York, Virginia, Mississippi, and Louisiana. — These States, after long suffering under all the inconvenience, to which we are subjected, from the confusion of conflicting and defective laws, remedied the evil, in the only way that was practicable. Selecting some of their ablest and most distinguished jurists, they conferred upon them power, not only to revise their several codes,

but authority also to draft original bills, to be submitted to the consideration of their legislatures, at their subsequent sessions. The result has exceeded their most sanguine expectations. Codes of laws have been enacted, which, for clearness of legal diction, and the prompt attainment of the great ends of justice, leave but little advancement, even to this enlightened age of progressive jurisprudence. So you is confided the sacred trust of legislating for the good of our common country. We should consider it our privilege, as it certainly is our duty, to avail ourselves of all proper means to attain this great end, even though, in doing so, we should violate those feelings incident to the frailties of our nature. No matter how highly we may estimate our own sagacity and soundness of judgment, there can be no degradation in availing ourselves of the legal knowledge and professional ability, of our more erudite citizens. That entireness of legal view, peculiar to a single jurist, in the construction of the edifice of jurisprudence, by which he can correctly judge of the fitness and proportion of all its parts, and the beauty and simplicity of the whole, is wanting in the diversified and varied, though intelligent, vision of a legislature.

The restriction of the jurisdiction of the County Courts, has accumulated suits upon the dockets of the Superior Courts; and however vigilant and attentive the district judges may be, their time, must be fully occupied in discharging the various duties imposed on them by the Organic law; as judges of Chancery, Admiralty, of Common Law and of the Court of Appeals. That justice may not unnecessarily be delayed, I recommend restoring the jurisdiction of the County Courts, as it existed in 1828.

The act to "organise and regulate the Militia of Florida," requires amendments. Duties are assigned to the Adjutant General, which, properly appertain to the Quarter-Master's department. According to all military precedent, it is the duty of the Adjutant General to receive his orders from the Commander in Chief, and to transmit them to the Generals of Brigade: but, in no instance, to receive an order from a General of Brigade; unless, from the absence of the Governor, the Brigadier-General is Commander-in-Chief. It does not therefore, appertain to the Generals of Brigade, to "see that the Adjutant-General does his duty;" but that their own assistant-adjutant Generals perform their duty respectively. The division of regiments, as by Sec. 12., into unequal battalions, is not consistent with the organization of the Army of the United States; and is calculated to produce confusion in the evolutions of the line. To avoid these difficulties, it will be necessary, that each regiment be composed of eight, instead of seven Companies, as at present organized.

I suggest to the Council the propriety of erecting a magazine for ammunition in the vicinity of Tallahassee, under the direction of the quarter-master general; and that he be authorised to collect the public arms - to have them repaired and preserved, in proper order, and that he be allowed an adequate compensation for his trouble and care.

The success of our planters will bring a flood of population into every section of our Territory. Although the most skeptical, in former years, could not deny that the samples of sugar manufactured in Florida, were equal, in colour and brilliancy, of granulation, to the general crops of Louisiana; the profitable manufacture of sugar, on an extended scale, was considered problematical. The enterprize of our planters has dissipated every doubt. Extensive works have been erected, which, for beauty and regularity of construction, equal the best establishments in the Southern country. The results, of the past season, have demonstrated the equality of our lands with those of Louisiana, both in regard to the quality and quantity ~~manufactured~~ of the sugar manufactured. With these

advantages and profitable as may be the culture of the cane, the culture of Sea-island cotton and Cuba tobacco, have been confidently maintained, by some of our most intelligent planters, to yield a greater profit. It is evident from the abundant crops and the increasing length and glossiness of fibre, clearly distinguishable in each succeeding year, that our climate and soil are peculiarly adapted to the growing of the sea-island, as well as every other description of cotton. But this fact will excite no surprise, when we recollect that this plant is indigenous to the islands and shores of the Gulf of Mexico, and was manufactured by the aborigines into clothing and defensive armour.)

When the quality of our cotton and tobacco becomes known in the Home and Foreign markets, they will be properly appreciated; and, not requiring a fixed capital, as in the manufacture of sugar, they will, eventually, yield a rich return, not only to the opulent planter, but also, to the industrious yeomanry of Florida. Various and profitable as are these sources of independance, kind providence, with bountiful hand, has poured out other blessings on this favoured land. We can number, not only the rich productions of indigo and silk, but this is, also, the country of the almond, the olive, the fig and the vine. The orange, the pine-apple, and the banana, which have hitherto been considered as appertaining almost exclusively to the Indies, have been cultivated successfully in the vicinity of Tallahassee. Blest with so many sources, from which we may derive pleasure and profit, it depends upon ourselves alone, by a wise course of legislation, to perpetuate to our posterity, the full enjoyment of these choice gifts of Heaven.

Gentlemen,— I should condemn myself, as having failed in one of my most important duties, if I did not now, as on all proper occasions, endeavour to call to your attention, and enforce upon your conviction, the necessity of erecting in our Territory, some general System of Education. Upon a subject of such paramount importance, and so intimately connected, as this is, with the safety, nay— the very existence of free government and liberal institutions, there can surely be,— but one opinion. However men may differ, as to what particular system should be adopted, all must agree, that knowledge and freedom are destined to be united, or, the latter must sink! When I speak of a system of education, I mean not merely that, which, while it confers on a few, the advantages of extensive science, leaves the great mass of the people,— the industrious poor, constituting the very bone and sinew of a nation, in utter and hopeless ignorance. Unless knowledge is diffused, unless it pervades and circulates through every stage and rank and class in society, its effects, however salutary, are, at best, but partial and inadequate. It is a singular fact and one worthy of our attention, in the history of those two wonderful nations of antiquity, from whose glowing annals we are in the habit of drawing so many illustrations applicable to our own concerns, that both fell, both were hurled from the pinnacle of glory, at the very time, when they both possessed their greatest, best, and most enlightened public men.— Pisistratus subverted the freedom of the Athenians, and, Lysander imposed upon his fellow Greeks his thirty tyrants, at the moment when Solon, under the former, was eloquently depicting the horrors of slavery, and Socrates, under the latter, was imploring his countrymen to defend their liberty.— Neither Brutus, Cato, nor the great Tully himself, (on whose eloquence so often hung the listening Senate of Rome), could save the liberties of their countrymen from the grasp of the mighty Cæsar. But it is not a few talented and accomplished men that can sustain the energies of a sinking, or, build up the ruins of,— a fallen nation.

To make the edifice secure, the foundation must be as strong as the superstructure is adorned. It is the people, emphatically the people, who must be informed! It is for them that governments are, or should be formed: and it is their character, their knowledge, their patriotism, their moral and intellectual strength alone, that must at last, (in their day of trouble and commotion, when the winds rise and the storm beats upon them!), sustain, invigorate and save a nation. If they be ignorant, if they be alike unacquainted with and regardless of their duties, as citizens - of their rights as men and free-men, - of what avail is it to them, that legislators plan and statesmen toil?

At the close of the last century, the world was startled by the tremendous convulsion of the French Revolution. The moral world, for a time, seemed to be shaken to its very centre - mankind stood aghast, waiting, in trembling expectation, the results of the mighty commotion. It was the hope of every philanthropist, that she would, eventually, come out from the fiery ordeal, unscathed; and that, like young America, whom she emulated, she would leap out, triumphant from the conflict, with her shield unsullied and her energies unimpaired. But while the spirit of generous freedom was breathed, with holy fervour, by the enlightened few among them, the spirit of anarchy and confusion raged among the ignorant multitude, whom despotism had, for ages, kept back from the light of truth. France struggled, for years, amid blood, and groans and tears and sunk, at last, into the most abject slavery. It is seldom indeed, that so much of ~~crime~~ human crime and misery have been crowded into so short a space of time. There is another and more glorious revolution going on, under better auspices, in that unconquered land. Conceived in wisdom and a more enlightened patriotism, conducted with moderation; - God grant it may end a blessing and a glory to those who have commenced and to those who may achieve it! While Lafayette lives, we need not fear for the result.

Who is there, who does not witness, with the deepest sympathy, the struggles of our sister republics of the South? And who is there, who can read their records of blood and strife, among their own children, without a feeling of regret, that their patriots and deliverers had not endeavoured, more than they seem to have done, to free them, from that fetter of the soul, ignorance - as well as from the shackles of foreign despotism?

It is true, that the enquiring spirit of the age is far from being dead among ourselves. There are but few of our citizens, (to their honour be it said!), who do not endeavour to give to their children the best instruction that their means can afford. Parental affection dictates this, but that is not sufficient. This should be a matter of engrossing public as well as private concern. Governments, formed as ours confessedly are, on the intelligence of the people, ought surely to omit no effort, to keep alive that knowledge to which they owe their existence.

The General Government, by her ample reservations of land, already for the promotion and support of schools, at some future day, has clearly shewn how fully aware she is of the importance of education. Why should this system be delayed? Every day that is lost, is an injury to ourselves and will be an injury to those, who are to follow us.

It remains for you, Gentlemen, by timely and proper representations to the government, to wake from her unstinted munificence, the means of establishing & perpetuating a general system of Education in our Territory. We have, already, many reasons for love and gratitude to our common parent, the General Government; and we may be confident, that, if the proper steps are taken, to attract her attention and secure her confidence, she will not deny to us this last, best boon - the boon

of knowledge and, consequently, of virtue and, of happiness.

/Signed/, William P. DuVal.

The Sergeant at Arms made the following report:

To the President of the Legislative Council,

Sir/

In compliance with a resolution, passed yesterday, I have caused the necessary examination to be made of the Capitol, and have the honor to transmit the result of such examination.

/signed/, James Bryan Jr.
Sergt. at arms.

Accompanying this was the following:

Having been called on, by Mr. James Bryan, Sergeant at Arms to the Legislative Council, I have inspected the capitol, and do give it, as my opinion, that it is unsafe and dangerous to be occupied in its present situation.

Jan. 3d. 1831. /signed/, John Lauderman.

Mr. Allen then moved, that in the opinion of this House, it would be unsafe to occupy the Capitol during the present session of this Legislative Council; and that a committee be appointed to procure a room and make other necessary arrangements for the accomodation of the House during the remainder of the session. Messrs. Allen, Byrd and Booth were appointed.

On motion of Mr. Drake, the House proceeded to elect a printer for the session; it resulted in the choice of Gibson and Smith.

Mr. Bradford's resolution, offered on yesterday, was taken up; and the substitute following, was offered by Mr. Booth and adopted by the House, viz.

That the Council now proceed to the Election of eight enrolling and engrossing clerks.

Messrs. Gray, Hughes, McRea, Miller, Lancaster, Hawkins, Fontane, and Roberts were elected.

Mr. Sanchez presented a petition from Charles Robion, contesting the election of Mr. Allen, a member from St. Johns, which was read and ordered to lie on the table until to-morrow.

The House adjourned until to-morrow, 10 o'clock.

Wednesday, 5th. Jan. 1831.

The House met pursuant to adjournment, and a quorum being present, the minutes of the preceding day were read.

Mr. Hill gave notice that he would, on some future day, ask leave to introduce a bill to be entitled, an act to extend the laws over the Indians within the limits of the Territory of Florida.

Mr. Allen gave notice, that on to-morrow, he will ask leave to bring in a bill to be entitled, An act to give jurisdiction to justices of the peace over all cases under One hundred dollars, and to abolish the jurisdiction of the County Courts in such cases.

Mr. Byrd gave notice that he would, on some future day, ask leave to introduce a bill to be entitled, an act to incorporate a Company to be entitled, the Lon

Rail-way company.

Mr. Gautier offered the resolution following; which was unanimously adopted, viz-
Resolved, That the President of this House be requested to furnish to the House a copy of his inaugural address, and that the same be entered on the Journal.

The same gentleman moved, That the petition of Charles Robion be referred to the Committee on Elections, and that the said be hereby requested to report thereon as soon as practicable.

The following standing Committees were appointed:

On the Judiciary, Messrs. Dunlap,
Wright,
Drake,
Booth,
Gautier,
Bradford and
Allen.

On the Militia, Messrs. Sanchez,
Warren,
Dunlap and
Jones.

On Finance, Messrs. Drake,
Byrd,
Sanchez,
Fitzpatrick and
Hodges.

On Elections, Messrs. Byrd,
Bradford,
Dunlap and
Jones.

On Claims, Messrs. Braddock,
Hodges,
Warren and
Allen.

On schools and Colleges, Messrs. Wright,
Jones,
Bradford,
Dunlap and
Sanchez.

On the state of the Territory,
Messrs. Wright,
Booth,
Gautier and
Fitzpatrick.

On Enrolled Bills, Messrs. Dell,

Bradford, Sanchez and Braddock.

Mr. Sanchez presented a petition from E. B. Gould, Mayor of St. Augustine, praying an alteration of the charter, of said city, which was read and ordered to lie on the table until to-morrow.

Mr. Warren presented a petition from Timothy Blightman, of Duval County, praying a charter for the erection of a bridge across the north prong of Black Creek, which was read and referred to a select committee.

Messrs. Warren, Lleli and Braddock were nominated as that committee.

Mr. Allen, from the committee appointed on yesterday, to procure a room and make other necessary arrangements for the accomodation of the Council, during the remainder of its session, offered the following report, which was received:

That they have procured the Masonic Hall, in this city, and recommend the adoption of the following resolution:- Resolved, That this Council will, during the remainder of its session, sit in the Masonic Hall and that the Sergeant at arms be instructed to superintend the fitting up of the same.

The House then adjourned until to-morrow, 10 o'Clock.

Thursday, 6th. Jan. 1831.

The House met pursuant to adjournment, and a quorum being present, the minutes of the preceding day were read.

Mr. Allen gave notice, that at some early day, he would ask leave to introduce a bill to be entitled, An act concerning Elections.

Mr. Gautier gave notice, that on to-morrow, he will ask leave to introduce a bill to be entitled, An act to repeal an act entitled, An act to amend an act regulating the mode of suing out writs of Error and prosecuting appeals, in the Court of Appeals of the Territory of Florida.

Mr. Bradford gave notice, that after to-day, he would ask permission to introduce a bill to be entitled, An act to secure to persons the right of payment for improvements made on public lands.

Mr. Sanchez gave notice, that at some future day, he would ask leave to introduce a bill entitled, An act to incorporate the City of St. Augustine and for other purposes.

Mr. Jones gave notice that, on saturday next, he will ask leave to introduce a bill for the punishment of malicious mischief.

Mr. Bradford gave notice that, at some future day, he will ask permission to introduce a bill to be entitled, An act to provide for the election of Receiver of tax-returns and tax-collectors in the several Counties in this Territory and to define their duties.

Also, a bill to be entitled, an act to alter and change the mode of summoning grand and petit jurors in this Territory.

Mr. Booth gave notice that he will, on some future day, ask leave to introduce a bill to be entitled, An act to establish a Court of Oyer and Terminer at West Point.

Mr. Dunlap gave notice, that at some future day, he will ask leave to introduce a bill to be entitled, An act to regulate the foreclosure of mortgages on personal property.

Mr. Blake introduced the resolutions following, which were read and adopted, viz.

Resolved, That so much of the Governor's Message as relates to the subject of Internal Improvements, be referred to the Committee on the State of the Territory;

Resolved, That so much as relates to the revision of the laws of the Territory; and so much thereof, as relates to County Courts, be referred to the Committee on the Judiciary;

Resolved, That so much thereof as relates to the subject of the Militia, of the Territory; and the erection of a magazine in the vicinity of Tallahassee, be referred to the Committee on the Militia.

Mr. Warren, offered a presentment from the Grand Jury of the counties of Nassau and Duval, which was read and ordered to be referred to a select Committee. Messrs. Warren, Byrd and Saunders were appointed that Committee.

The President presented a letter from Mr. Redman of St. Augustine, proposing to furnish a code of laws for the Territory, which was read and ordered to be referred to the Committee on the Judiciary.

The petition of E. B. Gould, Mayor of St. Augustine, was ordered to be referred to a special Committee. Messrs. Sanchez, Allen and Warren were nominated.

Mr. Wright, from the Committee to prepare rules for the government of the House, made a report, which was read and ordered to lie on the table until to-morrow.

Mr. Byrd presented a Report from the Board of Directors of the Commissioner of Tallahassee, which was read and ordered to be referred to a select Committee. Messrs. Bradford, Byrd, Sanchez, Blake and Dunlap were nominated.

The House then adjourned until to-morrow, 10 o'Clock.

Friday, 7th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Bradford gave notice, that at some future day, he would ask permission to introduce a bill to be entitled, An act more fully to prescribe the duties of Auditor of this Territory.

Mr. Jones gave notice that, on some future day, he would ask leave to introduce a bill to be entitled, An act respecting Rents.

Mr. Hodges gave notice that, at some future day, he would ask leave to introduce

a bill to be entitled, an act amendatory of the several acts relative to justices of the peace and constables.

Mr. Bradford gave notice that, at some future day, he would ask permission to introduce a bill to be entitled, an act amendatory of the several acts relating to the Treasury of this Territory; and more fully to prescribe the duties of Treasurer.

Mr. Jones gave notice that, at some future day, he would ask leave to introduce a bill to be entitled, an act to prevent Sheriffs and other officers levying executions in certain cases.

Mr. Booth gave notice that he would, on some future day, ask leave to introduce a bill to be entitled, an act to alter and amend an act to incorporate the town of West Point, passed 2d. November 1829; and for other purposes.

Mr. Gautier, pursuant to notice given on yesterday, introduced a bill to be entitled, An act to repeal an act entitled, an act to amend an act regulating the mode of suing out writs of Error and prosecuting appeals, in the Court of Appeals of the Territory of Florida, which was read a first time.

Mr. Byrd presented the report of the Commissioner of Tallahassee, which was read and ordered to be referred to the select committee, to whom was referred the report of the Board of Directors of the Commissioner of Tallahassee.

Mr. Byrd, pursuant to previous notice, introduced a bill to be entitled, an act to incorporate a company to be entitled, The Leon Rail-way Company, which was read a first time.

Mr. Booth introduced the resolution following, which was read and adopted:

Resolved, That 10 o'Clock, a. m. be the hour for the meeting of the Council, until otherwise determined.

Also, the resolutions following:

Be it resolved by the Governor and Legislative Council of the Territory of Florida, that our delegate in Congress be requested to endeavour to procure the passage of a law increasing the number of the Legislative Council to seventeen, so as to allow a member to each of the counties of Walton and Washington.

And be it further resolved, that a copy of this resolution be forthwith transmitted to the delegate, in order, that the matter may be acted on by Congress during its present session.

Mr. Byrd, from the Committee on Elections, to whom was referred the petition of Charles Robiou, made the following report:

The Committee, to whom was referred the petition of Charles Robiou contesting the election of William H. Allen, have had the same under consideration, and report: that after hearing all the facts, offered by both parties, they have disagreed in opinion, and hope to be discharged from the further consideration of the subject.

Mr. Satcher moved that the petition be referred to the Committee of the whole, and that Mr. Robiou be permitted to appear, by Counsel, at the Bar of this House;- and that he appear to-morrow at 10 o'Clock:- which motion was agreed to.

The report of the Committee, to prepare rules for the government of the House, was taken up to-day, and, after sundry amendments, alterations and additions, was adopted.

The House then adjourned until to-morrow, 10 o'Clock.

Saturday, 8th. Jan. 1831.

The House met pursuant to adjournment, and a quorum being present, the minutes of the preceding day were read.

Mr. Booth gave notice, that he would, on some future day, ask leave to introduce a bill to be entitled, An act to incorporate the Central Bank of Florida.

Mr. Braddock gave notice, that he would, on some future day, ask leave to introduce a bill to repeal a certain act.

Mr. Booth, pursuant to notice previously given, introduced a bill to be entitled, an act to alter and amend an act, to incorporate the town of West Point and for other purposes, which was read a first time.

Mr. Jones, pursuant to notice previously given, introduced a bill for the punishment of malicious mischief, which was read a first time.

The President presented a communication from the Territorial treasurer, accompanied by his annual report for the fiscal year, which was read and ordered to be referred to the committee on Finance.

The bill to be entitled, an act to repeal an act entitled, an act to amend an act regulating the mode of suing out writs of Error and prosecuting appeals in the court of Appeals of the Territory of Florida, was called up and ordered to be referred to the Committee on the Judiciary.

The resolution introduced by Mr. Booth relating to an augmentation of the number of the members of the Legislative Council, giving an additional member to each of the counties of Wallon and Washington, was taken into consideration, and, after having been so amended as to provide for an additional member to the counties of Hamilton, Madison and Jefferson, was ordered to lie on the table until to-morrow.

Mr. Allen offered the resolution following:

Resolved, That the Committee on Elections be requested to enquire into the expediency of drafting and introducing a bill, embodying in one, the several acts concerning the election of Territorial and United States' officers in this Territory, leaving out such parts as are inconsistent with, or repugnant to the Constitution or Laws of Congress.

Which was read and ordered to lie on the table.

The House adjourned until Monday.

Monday, 10th. Jan. 1831.

The House met pursuant to adjournment; and a quorum being present, the minutes of the preceding day were read.

Mr. Warren gave notice, that he would, on some future day, ask leave to introduce a bill to be entitled, an act to amend an act regulating Elections.

Mr. Sanchez gave notice, that, at some future day, he would ask leave

to introduce a bill to be entitled, an act to repeal an act entitled, an act to prevent duelling, passed 21st. Novr. 1829.

Mr. Jones gave notice that on thursday next, he would ask leave to introduce a bill repealing the law, passed at the last session of the Legislative Council, prohibiting usury or the loaning of money at more than ten per cent.

Also, that he would, at some future day, ask leave to introduce a bill providing for the punishment of persons unlawfully trading with negroes.

The same gentleman, pursuant to previous notice, introduced a bill to be entitled, an act to prevent Sheriffs and other officers levying executions in certain cases, which was read a first time.

Pursuant to previous notice, Mr. Booth introduced a bills to be entitled, an act to establish a court of Oyer and Termier at West Point, which was rea a first time.

Mr. Gautier presented a petition from Emelerie Brenizer, praying to be divorced, a vinculo matrimonii, from her husband Amos E. Brenizer, which was read and ordered to be referred to a special committee. Messrs. Gautier, Drake and Booth were appointed.

Mr. Dunlap offered a presentment from the Grand Jury of Gadsden County, presenting tippling shops as public nuisances, and recommending the passage of a law to restrain the same, which was read and referred to the Committee on Finance.

Mr. Dell offered a presentment from the Grand Jury of Jackson, concerning the criminal jurisdiction, and Indian trading establishments which was read and ordered to be referred to the committee on the Judiciary.

Mr. Boulk's resolution, concerning an augmentation of the number of the members of the Legislative Council, was called, read, as amended, and adopted.

Mr. Bradford offered the resolution following, which was read and adopted;

Be it resolved, by the Governor and Legislative Council of the Territory of Florida, that the delegate in Congress from this Territory be and he is hereby requested to endeavour to procure the passage of a law increasing the number of the Legislative Council, so as to allow an additional member for the County of Leon.

And be it further resolved, that a copy of this resolution be forthwith forwarded to the delegate.

Mr. Wright offered the resolution following, which was read and adopted:

Resolved, that the Committee on the Judiciary be instructed to enquire into the expediency of establishing Circuit courts, to be held in each county of the Territory; and the appointment of at least three Judges of said courts, with a competent salary to each, to be paid out of the Territorial Treasury.

Mr. Bradford the resolution following, to be laid on the table, subject to be called up at some future day;

Resolved, That the auditor of this Territory be and he is hereby requested to furnish, as soon as practicable, to the present Legislative Council, a statement, shewing the aggregate amount of all the accounts which have been audited by him, since the organization of his office; shewing also, as near as may be, the amount of accounts which have been audited and paid; and the amount audited and not paid, for keeping, securing, maintaining and guarding prisoners in

the several counties of this Territory; also a statement of the number and aggregate amount of the Treasury warrants which have been registered and countersigned by him.

Mr. Drake offered the resolution following, which was read and adopted:

Resolved, That the chief clerk cause to be furnished to each of the printers in Tallahassee, a copy of the journals of this House for publication.

The bill to be entitled, an act to alter and amend an act entitled, an act to incorporate the town of West-Point, and for other purposes, was read a second time and committed to the Committee of the whole, Mr. Dell in the chair: who reported the same, without amendments, which report was received - and the bill was made the order of the day for thursday next.

The bill to be entitled, an act to establish a court of Oyer and Terminer at West-Point, was read a second time and made the order of the day for thursday next.

The House then adjourned until to-morrow.

Friday, 11th. Jan. 1831.

The House met pursuant to adjournment, and a quorum being present, the minutes of the preceding day were read.

The resolution following, which was offered by Mr. Gautier was read and ordered to lie on the table:

Resolved, That a committee be appointed to receive proposals and contract for the printing of three hundred copies of the Journals of this House.

Mr. Gautier offered a resolution, containing rules for the government of the debate in the case of the petition of Charles Robion, which was read and adopted.

The petition of Charles Robion, contesting the election of Mr. Allen, was read and ordered to be committed to a committee of the whole. - Mr. Dunlap in the Chair: who reported progress and asked leave to set again: which report was received.

The House then adjourned until to-morrow.

Wednesday, 12th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Bradford gave notice, that after to-day, he would ask permission to introduce a bill to be entitled, an act to authorise the appointment of Commissioners to take the acknowledgment of deeds and instruments of writings under seal.

Mr. Braddock gave notice, that he would, on some future day, ask leave to introduce a bill respecting Grand Jurors and their jurisdiction.

Mr. Jones gave notice that, on some future day, he would ask leave to introduce a bill, defining the punishment of persons convicted of unlawfully penning the cattle of others.

Mr. Dunlap gave notice that, on some future day, he would ask leave to introduce a bill, authorising suits against certain executors and administrators therein named.

Mr. Wright gave notice that, on some future day, he would ask leave to bring in a bill to be entitled, An act to confirm and declare valid certain letters of administration granted in Escambia County.

Pursuant to previous notice, Mr. Jones introduced a bill concerning rents, which was read a first time.

Pursuant to previous notice, Mr. Hodges introduced a bill to be entitled, an act amendatory of the several acts relative to justices of the peace and constables, which was read a first time.

Mr. Drake offered a petition from John De la Rua and other citizens of Pensacola praying a charter of a Bank to be granted to them, to be called the Bank of Pensacola; which was read and referred to a select committee. Messrs. Drake, Wright and Gautier were appointed that committee.

The resolution following, offered by Mr. Booth, was read and adopted:

Resolved, That the Secretary of the Territory be requested to furnish this House with a list of the presiding justices of the county courts, justices of the peace, auctioneers and notaries public in the several counties of this Territory, together with the date of their commissions.

Mr. Wright offered the resolution following, which was read and adopted:

Resolved, That the committee on Finance be instructed to report to this House an estimate of the amount of the various expenses likely to be incurred at the present session of the Legislative Council.

Mr. Bradford offered the following resolution,

Resolved, That Charles Robioe, who has presented a petition to the present Legislative Council, contesting the legality of the election of Mr. Wm. H. Allen, a sitting member, be and he is hereby authorised to appear at the Bar of this House, by himself or counsel, and that he be permitted to introduce all such oral or written testimony as may be applicable to the case.

Mr. Wright moved to amend the resolution, by inserting the word "legally" between the words "may be" and "applicable to the case".

Mr. Booth moved that the resolution and amendment lie on the table: On this motion, Mr. Bradford called for the ayes and noes:—

The following gentlemen voted in the affirmative, viz.

Mr. President, and Messrs. Allen, Booth, Braddock, Dell,	Ayes. 10	Drake, Fitzpatrick, Gautier, Mclaren and Wright.

and the following, in the negative, viz. Messrs. Bradford, Byrd, Dunlap, Hodges, Jones and Sanchez,= 6 in the negative. So the resolution and amendment were ordered

to lie on the table.

Mr. Jones presented a report from the Trustees of the School lands in Gadsden County, which was read and referred to the committee on Schools and Colleges.

The president presented a report on the state of the Bank of Florida, from the Territorial Treasurer, which was read and referred to the Committee on Finance.

Mr. Gaulin's resolution, concerning the printing of the journals, was, by him, called up, read and ordered to lie on the table.

The House then resolved itself into a committee of the whole, on the petition of Charles Robiow, . Mr. Dunlap in the chair.

Mr. Booth, from the Committee of the whole, reported;

That the Committee had had under consideration the petition of Charles Robiow, contesting the election of Mr. Allen, and recommend that Mr. Robiow be permitted to withdraw his petition, and that the committee be discharged from the further consideration of the subject.

Upon the question to concur in the report, Mr. Bradford called for the ayes and noes. The following gentlemen voted in the affirmative, viz.

Mr. President, and Messrs. Braddock, Doll, Drake, Dunlap, Fitzpatrick, Gaulin, Mclarrow and Mcright. = 9.

And Messrs. Booth, Bradford, Byrd, Hodges, Jones and Sanchez in the negative = 6. — So the report of the Committee was received.

The House adjourned until to-morrow.

Thursday, 13th. Jan. 1831.

The House met pursuant to adjournment, and a quorum being present, the minutes of the preceding day were read.

Mr. Gaulin gave notice, that, on some future day, he would ask leave to introduce a bill to be entitled, an act to amend the several acts passed, incorporating the Bank of West Florida.

Mr. Warren gave notice, that, on some future day, he would ask leave to introduce a bill to incorporate the town of Monticello, in Jefferson County.

Also, a bill to be entitled, an act to amend an act, regulating Pilots on the St. Johns river.

Mr. Jones gave notice, that, on some future day, he would ask to introduce a bill appertaining to the wearing apparel of insolvent debtors.

Mr. Booth gave notice, that he would hereafter ask leave to introduce a bill, to add a part of the county of Washington to the county of Jackson.

Mr. Bell gave notice, that he would, on some future day, ask leave to introduce a bill to revive an act entitled, an act to regulate our citizens trading with the Indians and for other purposes therein mentioned.

Pursuant to previous notice, Mr. Jones introduced a bill to be entitled, an act concerning Interest, which was read a first time.

Mr. Bradford, according to previous notice, introduced a bill to be enti-

ded, an act to secure to persons the right to payment for improvements made on public lands, which was read a first time and referred to the Committee on the Judiciary.

Mr. Booth offered a petition from A. A. Mitchell and other citizens of Washington county, praying the passage of a law authorising the judge of the Western District to hold two regular terms of the Superior court in said county - which was read and referred to a special committee. Messrs. Booth, Albright and Gautier were appointed.

Mr. Sanchez offered the resolution following, which was read and laid on the Table:

Resolved, That in the opinion of this House, the act of the Legislative Council, passed 22d. Nov. 1828, entitled, an act concerning the election of members to the Legislative Council, contains nothing repugnant to or inconsistent with the Constitution or laws of Congress.

The resolution calling on the Auditor for statements therein mentioned, was called up and after having been amended, by striking out the words - "and audited and not paid" - was adopted.

Mr. Drake offered the resolution following, which was read and adopted;

Resolved, That the Secretary of the Territory be requested to furnish sixteen copies of the Laws of the Territory for the use of this House during its present session.

Mr. Dunlap offered the Pre-amble and Resolution following, which were read and referred to the Committee on the Judiciary.

Whereas the irregular and untimely seasons, at which many of the terms of the Superior courts are held, is a source of great inconvenience to the citizens of this Territory:

Be it therefore resolved, That the Delegate in Congress be requested to endeavour to procure ~~the passage of a law~~ such an amendment of the act of Congress, approved 25th. April 1828 as will prevent the adjournment of the regular terms of said courts, unless the unfinished business of said court, sickness or some public exigency, may require it.

Mr. Sanchez, from the Special Committee to whom was referred the letter of E. P. Ward, Mayor of St. Augustine, reported a Bill incorporating the City of St. Augustine; which was read a first time.

Mr. Drake from the Special committee, to whom had referred the petition of Colin McFarlane and other citizens of Pensacola praying for a charter of a bank, reported a bill to be entitled, an act to establish a Bank in the City of Pensacola, which was read a first time and made the order of the day for Monday next.

The bill to be entitled, an act amendatory of the several acts relative to justices of the peace and constables, was taken up and referred to the Committee of the whole.

Mr. Dell, from that Committee reported progress and asked leave to sit again - which report was received and the bill made the order of the day for Tuesday next.

The bill to be entitled, an act to alter and amend an act to incorporate the Town of West Point and for other purposes, was read a third time - on its passage, Mr. Booth called for the ayes and noes.

The following gentlemen voted in the affirmative, viz.

Messrs. Booth, Braddock, Bradford, Dell, Drake, Fitzpatrick, Hodges, Jones, Sanchez and Marrow.

And the following in the negative, viz. Messrs. Bellamy, Allen, Byrd, Dunlap, Gautier and Albright. And the bill was passed; ordered to be en-

rolled and that its title be as aforesaid.

The bill concerning Writs was made the order of the day for saturday next.

The bill to be entitled, an act to prevent Sheriffs and other officers levying executions in certain cases, was ordered to be read a second time on saturday next.

The bill to incorporate a company to be entitled, The Leon Rail-way Company was ordered to be a second time on to-morrow.

The bill for the punishment of Malicious mischief was read a second time and committed to the Committee of the whole.

Mr. Sanchez, from that Committee, reported the bill without amendment which report was received, and on motion, the bill was referred to the committee on the Judiciary.

The House then adjourned until to-morrow.

Friday 14th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Gautier gave notice that, on some future day, he would introduce a bill to amend an act regulating the mode of proceeding in attachments, approved 2. Novr. 1829.

Pursuant to previous notice Mr. Call introduced a bile to be entitled, An act to extend the laws over the Indians within the Territory of Florida, which was read a first time and ordered to a second reading on monday next.

Pursuant to previous notice, Mr. Allen introduced a bill to be entitled, an act concerning Elections, which was read a first time.

A communication from Thomas Douglass praying compensation for certain services therein mentioned, and not provided for by law, was read and referred to the committee on claims.

A presentment from the Grand Jury of the counties of St. Johns and Mosquitoe was read and referred to the committee on the Judiciary.

The fiscal presentment of the Grand Jury of the Southern Judicial District was read and referred to a select committee. Messrs. Fitzpatrick, Allen and Sanchez were appointed that committee.

A communication from John Baldwin was read and referred to the committee on Finance.

The petition of Lachlan M. Stone, praying compensation for extra services rendered in Territorial cases as Marshal of the Southern Judicial District, was read and, with the accompanying vouchers, referred to the committee on claims.

Mr. Gautier offered the following resolution, which was read and adopted,

Resolved, That the committee on the Judiciary be directed to enquire into the expediency of reporting a bill altering and regulating the terms of holding the Superior courts in the Western Judicial District.

The resolution concerning the law of Elections, was ordered to lie on the table until monday next.

Mr. Dunlap, from the committee on the Judiciary reported:—

That it is inexpedient to enact the bill for the punishment of Malicious mischief, with a prayer to be discharged from the further consideration thereof, which was received.

Also, the pre-amble and resolution following:

Whereas the irregular and untimely seasons, at which many of the Superior courts are held, is a source of much inconvenience to the citizens of this Territory;

Be it therefore resolved that the Delegate in Congress be requested to endeavour to procure such an amendment of the act of Congress, approved 28th. April 1829 as will prevent the adjournment of said courts to other times than those fixed by law.

Ordered to lie on the table until Monday next.

Also, a bill to be entitled, an act to repeal an act, to amend an act, regulating the mode of suing out writs of Error and prosecuting appeals, in the court of appeals of the Territory of Florida, which was read a first time and ordered to a second reading on Monday next.

Mr. Booth, from the select committee, to whom was referred the petition of N. H. Mitchell and other citizens of Washington County reported by a bill to be entitled, an act to provide for holding Superior courts in the county of Washington, which was read a first time.

The bill to incorporate a company to be entitled, The Leon Rail Way Company, was read a second time by its title, and committed to the Committee of the Whole.

Mr. Duke, from that Committee, reported progress, with a proposed substitute, to a bill to be entitled, an act to incorporate The Tallahasee Rail Road Company, and asked leave to sit again. Which report was received.

The bill to be entitled, an act to establish a court of Oyer and Terminer at the town of West Point, was read a second time and committed to the Committee of the Whole.

Mr. Byrd, from that Committee, reported the Bill with amendments which report was received; and the bill, as amended, ordered to be engrossed and read a third time on to morrow.

The bill to be Entitled, An act concerning Slaves, was ordered to be read a second time on Tuesday next.

The House then adjourned until to morrow.

Saturday 15th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the Minutes of the preceding day were read.

Mr. Jones gave notice that, on some future day, he would ask leave to introduce a bill compelling the owners of negroes hired out to pay the Physicians bills.

Mr. Sanchez gave notice that, on some future day, he would ask leave to introduce a bill entitled, an act to amend an act entitled, an act to amend an

act for the apprehension of criminals and the punishment of crimes and misdemeanors.

Mr. Mclaren gave notice that, on some future day, he would ask leave to introduce a bill to be entitled, An act to prevent magistrates, from giving permission to free negroes to carry fire arms.

Pursuant to previous notice, Mr. Jones introduced a bill concerning the spaying of stock, which was read a first time.

Pursuant to previous notice, Mr. Hill introduced a bill to be entitled, An act to regulate our citizens trading with the Indians and for other purposes therein mentioned, which was read a first time and made the order of the day for Tuesday next.

A communication from Mr. Hodman, asking permission to withdraw a former one, was read and referred to the Committee on the Judiciary.

A memorial, from sundry citizens of Gadsden County, was offered by Mr. Sunlap, read and referred to a select committee. Messrs. Dunlap, Jones and Gautier were appointed on that committee.

Mr. Booth submitted the resolution following, which was read and adopted;—

Resolved, That a standing committee of five be appointed by the President, to be called the Committee on County Boundaries. Messrs. Booth, Wright, Bradford, Sanchez and Hall were appointed.

Mr. Gautier, from the select committee to whom was referred the petition of Emeline Bronizer reported a bill to be entitled, An act to dissolve the marriage contract between Emeline and Jno. C. Bronizer which was read a first time and ordered to a second reading on Wednesday next.

The engrossed bill to be entitled, An act to establish a court of Oyer and Terminer & Gol delivery, was read a third time passed and ordered to be enrolled.

The bill to be entitled, An act to provide for holding the Courts in the County of Washington, was ordered to be read a second time on Wednesday next.

The bill to be Entitled, An act to prevent Sheriffs and other officers levying executions in certain cases, was read a second time and committed to the Committee of the Whole.

Mr. Sanchez, from that Committee, reported progress and asked leave to sit again — which report was received.

The bill concerning Rents, was read a second time and committed to the Committee of the Whole.

Mr. Bradford, from that Committee, reported the Bill with the enacting clause stricken out — which report was concurred in and the bill was lost.

The bill for the punishment of malicious mischief was, on motion, ordered to be re-instated among the orders of the day — and committed to the Committee of the Whole.

Mr. Lee, from that Committee, reported the bill with the enacting clause stricken out — which report was concurred in — and the bill was lost.

The House then adjourned until Monday.

Monday, 17th. Jan. 1831.

The House met pursuant to adjournment, and a quorum being present, the minutes of the preceding day were read.

Mr. Jones gave notice that on some future day he would ask leave to introduce a bill amendatory of the Patrol Law.

Also, a bill reducing the taxes on merchandise.

Mr. Booth gave notice that on some future day he would ask leave to introduce a bill concerning Appeals and Writs of Error.

Mr. Sanchez gave notice that he would, at some future time, ask leave to introduce the following bills, viz. a bill entitled, an act to incorporate a Bank in St. Augustine; and a bill to be entitled, an act for the relief of Charles C. Hawkins, and for other purposes.

Mr. Wright gave notice that, at some future day, he would ask leave to introduce a bill to be entitled, an act to prescribe the mode of summoning Grand and Petit Jurors.

Mr. Booth gave notice that, on some future day, he would ask leave to introduce a bill regulating Pilots and the rates of Pilotage at Apalachicolas.

Pursuant to previous notice, Mr. Jones introduced a bill compelling the owners of slaves hired out, to pay the Physicians' bills: which was read a first time.

Pursuant to previous notice Mr. Bradford introduced a bill entitled, an act to authorise the appointment of Commissioners to take the acknowledgment of deeds and other instruments of writing, under seal: which was read for the first time.

Pursuant to previous notice, Mr. Wright introduced a bill to be entitled, An act to confirm and give validity to certain letters testamentary and of administration, heretofore granted and for other purposes— which was read for the first time and made the order of the day for friday next.

The President presented a communication from the Secretary of the Territory, accompanied by a report from two of the late members of the Board of Directors of the commissioners of Tallahassee; which was read and referred to the select committee to whom was referred the report of the Commissioners of Tallahassee:

Also, another, accompanied by certain memorials; one from the citizens of Washington and the other from the citizens of the town of Apalachicola, which were read and the first referred to the Committee on County Boundaries.

Mr. Bradford offered the resolution following, which was read and adopted;

Resolved, That the Territorial Treasurer be and he is hereby requested to furnish, as soon as practicable, to the present Legislative Council,

1st. A statement, shewing the amount of Territorial notes which have been issued; the amount now in circulation, and the amount now in the Treasury.

2d. A statement, shewing the amount of money received the Treasury, exclusive of Territorial notes, from whom it was received, to whom paid, and the amount, if any, now in the Treasury: and

3d. A statement, shewing the amount of money received from fines, and from the forfeiture of Bonds, and from whom; and the aggregate amount, so received, from each judicial district in the Territory.

Mr. Saulier introduced the Resolution following, which was read and ordered to lie on the table until to-morrow. for which

Whereas the term of service of his Excellency, William P. Duval was appointed Go-

vernor is about to expire; and whereas the members of this Council, Representing, as they believe, the varied interests and wishes of the people of the Territory, do concur in the recommendation of his Excellency for re-appointment to the distinguished office he now holds:-

Be it therefore resolved by the members of the Council, that our President be requested, without delay, to transmit to the President of the United States the high sense of the confidence reposed by them, in the abilities and eminent services rendered by his Excellency to the people of Florida; and the earnest expression of a hope that the appointing power will again confer the office upon one who has filled it with so much Honor to himself and satisfaction to the people.

The resolution offered by Mr. Sanchez, relative to the laws, concerning the election of members of the Legislative Council, was ordered to lie on the table until to-morrow.

The bill to be entitled, An act to establish a bank in the city of Pensacola, was read a second time, by its title, and committed to the Committee of the Whole.

Mr. Fitzpatrick, from that committee, reported the bill with amendments, which report was received, and the bill, as amended, ordered to be engrossed and read a third time on to-morrow.

The bill concerning the forming of stock, was read a second time and committed to the Committee of the Whole.

Mr. Tyrd from that committee, reported the bill with amendments; which report was received, and the bill, as amended, was ordered to be engrossed and read a third time on Wednesday next.

The bill to be entitled, an act to repeal an act entitled, an act to amend an act regulating the mode of suing out writs of Error and prosecuting appeals in the Court of Appeals in the Territory of Florida, was read a second time and committed to the committee of the Whole.

Mr. Wright, from that committee, reported the bill with amendments; which report was received, and the bill, as amended, ordered to be engrossed and read a third time on thursday.

The bill to be entitled, An act concerning Elections, was read a second time and ordered to lie on the table.

The bill to be entitled, An act to extend the laws over the Indians within the Territory of Florida, was made the order of the day for wednesday next.

The bill to prevent sheriffs and other Officers levying executions in certain cases was made the order of the day for Thursday next.

The bill to incorporate a Company to be entitled, The Econ Rail way Company, was made the order of the day for Wednesday next.

The House then adjourned until to-morrow.

Tuesday, 18th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Booth introduced a Bill to be entitled, an act to establish a Bank by the name and style of the Central Bank of Florida, which was read for the first time and made the order of the day for Friday next.

Mr. Allen introduced a Bill for the relief of L. A. Stone, which was read for the first time.

Mr. Fitzpatrick presented a petition from from the Grand Jury of the Southern Judicial District, and also one from the citizens of Key West, in behalf of Charles E. Hawkins, which were read and referred to a Select Committee. Messrs. Sanchez, Fitzpatrick and Allen were appointed on that Committee.

Mr. Booth introduced the resolution following, which was read and adopted;-

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of memorializing Congress for the establishment of an additional Judicial District in this Territory.

The resolution offered on yesterday, recommending His Excellency Wm. P. Duval for re-appointment, was taken up and read.

The President then offered a communication from William Wyatt, accompanied by certain papers, alleged to be connected with the subject under consideration. On the question shall all the papers be read, Mr. Bradford called for the ayes and noes, and the following gentlemen voted in the affirmative, viz.

Messrs. Booth, Bradford, Byrd, Drake, Fitzpatrick, Hodges & Sanchez, and the following in the negative; viz.

Mr. President and Messrs. Allen, Braddock, Hall, Hunlap, Gautier, Jones, Warren, and Wright, and it was decided in the negative.

It was then moved by Mr. Hunlap that the papers purporting to be official be, and on this the ayes and noes were taken, when Mr. President, and Messrs. Allen, Booth, Braddock, Bradford, Byrd, Hunlap and Hodges voted in the affirmative; and the following in the negative, viz. Messrs. Hall, Drake, Fitzpatrick, Gautier, Jones, Sanchez, Warren and Wright and the motion was decided in the negative.

Mr. Bradford then moved to postpone the further consideration of the resolution until the 4th. day of March next. On this the ayes and noes were taken; and Mr Bradford voted in the affirmative and Mr. President and Messrs. Allen, Booth, Braddock, Byrd, Hall, Drake, Hunlap, Fitzpatrick, Gautier, Hodges, Jones, Sanchez, Warren and Wright in the negative. and the motion was lost. The question was then taken on the adoption of the resolution, when Messrs. Bradford, Byrd and Drake voted in the negative, and Mr. President and Messrs. Allen, Booth, Braddock, Hall, Hunlap, Fitzpatrick, Gautier, Hodges, Jones, Sanchez, Warren and Wright in the affirmative. and the resolution was adopted.

The resolution offered by Mr. Sanchez, on a former day, concerning the validity of the law relating to the election of members of the Legislative Council was called up, when Mr. Sanchez offered the following as a substitute:

Resolved, That in the opinion of this House the 2d section of the act

of the Legislative Council, passed on the 22d day of November 1828, entitled, An act concerning the election of members to the Legislative Council of Florida, contains nothing repugnant to or inconsistent with the Constitution of the U. States or laws of Congress.

On this resolution the ayes and noes were taken, and Messrs. Booth, Bradford, Byrd, Hodges and Sanchez voted in the affirmative; and Mr. President, and Messrs. Allen, Braddock, Hall, Drake, Dunlap, Fitzpatrick, Gautier, Jones, Marvin and Wright, in the negative. And the resolution was lost.

The House then adjourned until to-morrow.

Wednesday, 19th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

The President presented the communication following, which was read:—

Washington, Dec. 26th. 1830.

Sir

I ask the favour of you, as my representative in the Legislative Council, to present, in my name, the enclosed bills, written in obedience to their resolution of last year.

With great respect,
Yr. mo. obt. servt.
Jos. M. White.

Col. A. Bellamy.

Washington City. 26th. 1830.

To the President of the Legislative Council of the Territory of Florida.

Sir.

At the last session of the Honorable body over which you preside, a resolution, transmitted to me by its order, invited my attention to the subject of a grant supposed to have been made, or rather indicating a wish of a preceding Council, that a grant should be made to Richard K. Allen Esqr. for certain services in making selections under an act of Congress, passed the 1826, authorising the location of two townships of land, for seminaries of learning, in our Territory.— I am requested to make a report on the subject, at the next session to the Council. Entertaining a profound respect for their wishes, and feeling every disposition to co-operate with them, in the trusts committed to us by our common constituents, I shall proceed to submit, for their consideration, a brief report.

The first act of Congress granted, for a specified object, two townships land in entire bodies, the selection of which might have been made, without difficulty or trouble, by the Governor of the Territory, upon whom that duty has usually devolved, as a part of his Executive Agency, in the execution of the laws of the U.

States. When I arrived here, in the station I now hold, in 1825, I ascertained that the lands intended to be set apart by that act, had not yet been selected and reserved, and believing that the fund for Education might be enhanced to a value greatly exceeding that desired to, I applied to Congress and obtained a modification of the law, so as to allow the unlocated land, to be selected in select sections, which was granted by a special act. The labour of locating, in small bodies, was certainly increased by the new act, as much as the value of the donation; but I do not conceive that this either rendered the employment of a special agent necessary, or made his expences a charge upon the fund set apart for education. When that resolution reached here, proposing to give two sections of land, for locating the remainder, it was not considered necessary to annul it, because it was viewed as a nullity itself, for the want of power in the Legislative Council, to legislate in any manner upon the subject.

The first act of Congress set apart two townships of land for a special purpose. the supplemental act did not change its provision in that respect. It was therefore a reservation made by Congress of a portion of the public domain for education in the Territory of Florida. The U. States, in making the reservation, conveyed no jurisdiction to any other Legislative Tribunal, to carry the grant into effect, or to entertain jurisdiction over it.

The Governor and Legislative Council therefore had no more right, by law or resolution, to grant away this land, than they had to grant the U. States land or private property. It is doubtful whether the granting authority, (Congress), could devote any portion of the proceeds of these reserved lands, for any other than the object named in the consideration of the Legislative grant. The resolution was therefore considered void, by a committee of Congress, before whom it was laid, or I should have insisted upon a law annulling it.

The execution of the laws of the U. States is entrusted by the Constitution, to the President, and the expences of carrying them into effect, are borne by the U. States. To obviate any difficulty arising from a failure to make a specific appropriation, there is usually provided by Congress, a miscellaneous fund, to pay for all objects directed by law, where there is no enumerated appropriation.

I do not consider the Territory in any wise responsible for the services rendered or under an obligation to make compensation for them in land, or money and the resolution passed first on the subject, being void ab initio, would have remained so, without the one rescinding it.

I had this subject referred to a committee at the last session of Congress, with a statement of the agent explaining the nature & extent of his services, and if Congress had been disposed to grant him other lands for his services, I should have advocated any Bill for a reasonable compensation, but according to my conception of the laws for reserving the lands, I should have felt it to be my imperious duty, to preserve them for the meritorious objects for which it was set apart.

I have the honor to be,
with high considerations
of respect, Yr. most
Obt. servant
Jos. M. White.

The President also presented the communication following, from His Excellency William P. Duval, which was read and referred to the Committee on the Judiciary.

Executive Office
Tallahassee, Jan. 17th. 1831.

Sir,

In the Message which I had the honor to submit to the Council, at the opening of the present session, I deemed it my duty to call their attention to the subject of a revision of the Laws of the Territory. Whether the adoption of measures for the revision of the statutes, and a formation of a general Code, in the manner adopted by the States of New York, Louisiana, and Virginia is deemed advisable or not, by the Council at this time, the publication of the Laws lately passed, is a subject that at present, appears to me of sufficient importance to authorize me in calling your attention specially to that subject. In a communication made by the Secretary to the Council on the 15th. inst. through the Chairman of the Committee on Finance, the making of the contracts for the publication of the laws of this session in news-papers and in pamphlet form, was referred entirely to the Council. I deem it proper however to apprise the Council, that the number of copies ordered to be published last year was insufficient for a general distribution. A number of public officers in the counties of Leon and Gadsden, have not been furnished, owing to the deficiency. To enable such general distribution amongst the public officers and citizens of the Territory, as is advisable; and also to the Executives and Legislatures of the different States and of the U. States, it is necessary that at least 750 copies should be annually printed. The publication of that number of the Laws of this session, and in future, will not however, remedy the inconvenience resulting from the deficiency of past years. There are now in the Executive Office, but 20 copies of the Laws of 1822; and about the same number of the laws of 1823, 1824, 1826 and 1827. Of the Laws of 1825, 1828 and 1829 there are but 2 complete copies, exclusive of those furnished the Council a few days since.

It is known too that but few copies of the loose pamphlets, in which they were published, can be had in the different counties of this Territory. And a few years, there will be none extant. References to the Laws passed, during those years, although they may have been repealed, is often indispensable. Disputes and litigation may arise upon contracts formed under them, and which must be determined by them.

Some of the repealed statutes, of those years may be revived by re-enactment, referring to their title alone. The experience of every state in the Union, has shown the policy, if not absolute necessity, of collecting periodically, as experience may dictate, and embodying and preserving, in as condensed a form as possible, the whole body of Laws enacted by their Legislatures. I must therefore respectfully call the attention of the Council to this subject and suggest the Expediency of publishing, in one volume, all the statutes of this Territory, since its organization - with notes and references made by some legal gentleman, to be appointed by the Council for that purpose, pursuing the method adopted in the publication of the acts of Congress. I am informed that such publication could probably be made in a volume of about 500 pages, including the laws of this session. In case the Council should deem it advisable, to adopt this course, I have no doubt that if the appropriation made last year by Congress is insufficient, to defray the expense, the General Government will not withhold the deficiency, upon being acquainted with the importance and necessity of the measure. I would also respectfully recommend to the Council, the Enactment of a Law, regulating the annual publication of the Laws and prescribing the manner of their distribution & designating to whom they shall be distributed.

The propriety and expediency of permitting a certain number of copies to be sold annually for sale, to many persons in and out of the Territory, who

cannot otherwise obtain them, is also recommended to the Council.

I am Sir.
Very respectfully.
Yr. Obt. servt.
Wm. P. Duval.

Honble. A. Bellamy
President of Council

Mr. Hale presented a petition from several citizens of Alachua County, in relation to the Mineral Springs in Hamilton County, which was read and referred to a select committee. Messrs. Hale, Booth and Warren were appointed that committee.

A petition from the presiding and other justices of St. Johns county, was presented by Mr. Sanchez, and read. Mr. Warren moved to lay it on the table until the 1st. March next- which was rejected. Mr. Dunlap moved, That so much thereof as refers to county Boundaries, be referred to the Committee on County Boundaries, and it was so referred.

Mr. Paddock from the Committee on Claims made the following report, which includes the Bill read on yesterday for the first time, for the relief of L. H. Stone:

The Committee of Claims, to whom was referred the petition of L. H. Stone & accompanying documents, having had the same under consideration, beg leave to report a bill providing for his relief. The first section of said Bill is intended to include such items in his account as they deem him entitled to by law, which they recommend to be filled up with the sum of $620 54/100. The second is intended to include items for such expences as though not justified by law, appeared to the Committee necessary & unavoidable- they recommend the blank to be filled up with the sum of $59 3/100- The third section is according to the desire of the petitioner, and submitted to the House on account of his statement that the money has been generally advanced by him, and that he has become personally responsible for the remainder. All which is respectfully submitted.

Mr. Booth from the Committee on County Boundaries, made the following report:

The Committee on County Boundaries to whom was referred the petition of divers citizens of Thalachicola, praying for the formation of a new county, by dividing the counties of Washington and Gadsden, have the honor to report:

That they have the same under consideration and deem it inexpedient at this time to attempt any further alteration in the Boundaries of said county, as the population within the limits of the proposed new County is not, in the opinion of your Committee, sufficient to justify its formation- They therefore beg to be discharged from the further consideration of the subject-

Which report was concurred in.

Mr. Drake from the Committee on Finance made the following report-

The Committee on Finance which was instructed to enquire and report to this House, an estimate of the amount of the various expences likely to be incurred at the present session of the Council report the enclosed communication from the Secretary of the Territory, in answer to a letter addressed to the Governor on the subject; also a statement from the Chief Clerk, likewise enclosed, and an estimate, as required by the House, predicated upon these documents, and an examination of the accounts of former years, which they respectfully submit to the House.

Estimate:

To compensation and mileage of the members of the Legislative Council as estimated by the Committee	$2820. "
To pay of Officers and servants of the Council, as estimated by the Committee	2400. "
To fuel for the Council and Clerks, as estimated by the Committee	30. "
To stationary, &c. furnished by the Chief Clerk, as estimated by the committee	70. "
To amt. paid Secretary of Territory for Stationary for Council	250. "
To printing for Council, estimated by the Committee, by Gibson & Smith	100. "
To publishing Laws in three News-papers, estimated to be probably 100 pages, at 125 cts. per page to each paper	375. "
To printing 750 copies of the Laws, in pamphlet form, - 500 copies of 100 pages - at 325 cts. per page & 250 copies at $2 per page	525. "
To distribution of Laws throughout the Territory	180. "
To amt. to E.E. Greenup, estimated at ~~$20~~	250. "
To John Sanderman's Bill, for repairing stables, &c. / amt. claimed /.	75. ".
To amt. for folding and sticking and binding, / in half binding /, the Laws of this session, say "50 copies of 100 pages at 25cts	187.50
To rent for Council Chamber - 42 days @ $5 per day	" 210. "
	$ 2472.50
The amt. appropriated by Congress to meet these expenses is	2716. "
Balance left to meet contingies not calculated /	$ 244.50

It will be seen by the communication from the Secretary that the Governor refers to the House the making of the contracts for publishing the Laws in the News-papers and in pamphlet form. In consequence of this reference, and also with a view to general Economy, in the Expenditures, the Committee have deemed it their duty to make Enquiry as to the terms of former contracts, and the manner in which they have been fulfilled; and their investigations have strongly impressed with the conviction that justice and a good faith to the General Government requires thorough "reform" and "Retrenchment" in this branch of Expenditure.

During the last year Wilson & Davenport received for printing 500 copies of the pamphlet Laws of 1829 - 188 pages at $3 25/100 per page	$ 611. "
There was also paid additional for folding and sticking said laws at 3/16 of a cent per page	93. "
They also received for publishing said laws in their News-papers 167 pages at $1 25/100 per page	208.75
There was also paid to two other News-papers in the Territory, for publishing the laws, at the same rate, $208 75/100 each	417.50
Wilson and Davenport also received for printing 500 copies of laws, in force, passed prior to 1828 at $3 25/100 per page	585. "
There was paid for folding and sticking the same	55. "
William Wilson also received for printing done for the council, including a pamphlet of the Laws of the U.S. relating to Florida	240.82
There was also paid for folding and sticking the same	9.75
Wilson and Davenport also received for printing 250 copies of Journals of Council, 90 pages at $2. per page	180. "
There was also paid for folding and sticking the same	47.62½
There was also paid to Wm. Wilson for stationary, two Bills amounting to	188.87½
And to E.E. & R.H. Williams for the same	75.75
	$2713.07

The committee are also informed that Mr. Wilson claimed an additional allowance for republishing the Laws passed prior to 1828 and now in force, a second time in his News-paper, when he printed the pamphlet at the rate of $1 25/100 per page.

The Committee do not hesitate to express the opinion, founded upon the evidence of public documents, that last year especially, there was not merely a want of good faith, in the performance of the contracts made with the Council, but gross imposition was practised by those who engaged to perform the work. This was, in some measure doubtless, owing to the looseness of phraseology in the contracts made ~~with~~ by the Committee of Council with the printers. Several papers relating to the subject have been obtained from the Executive Office and are herewith submitted to the House. The Committee consider the manner, in which the printing has been executed, in regard to the style and correctness of the typography, as extremely slovenly & deficient. But the most glaring imposition has been practised upon the Public, in the spinning out of the pages of the pamphlets, in an unnecessary and unwarrantable manner. The printers have been paid a stipulated price per page, for the publication in the News-papers and in pamphlet form — the pages being estimated from the pamphlet. Large blank spaces are found throughout all the pamphlets published by W. Wilson and Wilson & Davenport, evidently left for no other purpose, than extending the number of pages and increasing the amount of payment. The Committee would refer the Council to an examination of the pamphlets. By a calculation, made by the Committee, it is estimated, if the pages had been fairly and honestly made, the books could not have exceeded more than two-thirds of their present bulk.

A reference to the proceedings of last Council will shew also, that the obligation to have performed the contract, was increased by the fact, that the Council disregarded an offer by Steele & Eyden to do the public printing, at a much lower rate than was paid to the late printers — giving them a premium of more than one third to secure their fidelity.

The Committee would also observe that the type which was used, was larger than was necessary. In order to prevent a repetition of the imposition heretofore practised, as well as to produce a uniformity, in the size and appearance of the publication of the ~~Laws of the~~ Territorial laws, the Committee recommend that hereafter, those who print the Laws shall be required to make the pages as large as those of the annual pamphlets of the acts of Congress and that similar type shall be used. The propriety of taking the pamphlet of the laws of the United States as a criterion, is manifest from the fact, that the same amount per page, ($1 25/100), ~~for~~ is paid for publishing the Territorial laws in the News-papers, as is paid by the General Government, to the publishers of their laws; and that the Treasury Department, it is understood, in making this rule and in limiting the number of publishers, in the Territory, to three, — was governed by the regulations, in relation to the Laws of the United States. That $1 25/100 per page, calculated from the laws of the United States, is a liberal price — is proved by the fact, that the publishers of News-papers seek the privilege, with eagerness: and yet, by calculating the pages, according to the pamphlet of Territorial Laws, the printers were paid, last year, nearly double that rate. The Committee cannot think that printing, in Florida, should cost so much more than it does elsewhere. The Committee would also observe, that, on Enquiry, they have ascertained, that 750 copies of the laws will be necessary for general distribution. They deem the publication of the Journals of Council, in pamphlet form, as an unnecessary expense — as sufficient information of their proceedings is given in all the News-papers of the Territory. The two, in this town, being furnished, gratis, with copies of our Journals.

The Committee beg leave to recommend the adoption of the following resolutions:

Resolved, That the laws of this Territory shall, hereafter, be published in pamphlet form, in similar type and in pages of similar size to the pamphlet of the Laws of ~~the United States~~ Congress; and that a special committee, on printing, be appointed to contract for the printing of 750 copies of the laws of this session in such manner; and also, for the folding, stitching, and binding the same and delivery to the Go-

venor, for distribution, as early as possible.

Resolved, That the laws of this Territory, be published viz, in the St. Augustine Herald and Pensacola and that $1 25/100 per page be allowed to each paper, for the said publication.

/signed/ E. L. Drake, Chairman.

Which report was read and received.

Mr. Gautier moved to amend the second paragraph of the first resolution, so that the committee recommended to be appointed should — "receive proposals and contract for printing", &c. and that "they should report to this House." Which amendment was rejected.

Mr. Bradford then moved to amend the same, by inserting the words, — "receive proposals and" — so that the resolution should read, — "That a special committee on printing be appointed to" receive proposals and — "contract for printing", &c.

On this the ayes and noes were taken, and Mr. President with Messrs. Allen, Braddock, Bradford, Byrd, Dunlap, Gautier, Hodges, Jones, Sanchez, and Wright voted in the affirmative; and Messrs. Booth, Bell, Drake, Fitzpatrick, and Warren, in the negative — and the amendment prevailed, and the resolution, so amended, was adopted.

As a substitute to that part of the second resolution, antecedent to the words — "and that $1 25/100 per page", &c. Mr. Bradford moved the following:

That all the laws, of a general nature, be printed in all the News papers in the Territory — which was rejected.

Mr. Drake then moved to fill the first blank, in the second resolution, with the words, — 'one of the News papers in Tallahassee', — and the second with the word, — 'Chronicle', — which was agreed to.

Mr. Wright then offered, in connexion with this subject, the following resolution:

Resolved, That the printer in Tallahassee, to whom the printing of the Laws, in pamphlet form, shall be given, shall also have the printing of the Laws in the News papers.

On this, the ayes and noes were taken, and Mr. President, with Messrs. Allen, Booth, Braddock, Bell, Drake, Dunlap, Fitzpatrick, Warren and Wright, voted in the affirmative; and Messrs. Bradford, Byrd, Gautier, Hodges, Jones and Sanchez, in the negative — and the resolution was adopted.

Mr. Sanchez, from the select committee, to whom had been referred the petition in favour of Charles E. Hawkins, reported a bill, to be entitled, A Bill for the relief of Charles E. Hawkins — which was read for the first time.

The bill to be entitled, an act to establish a Bank in the city of Pensacola, was read a third time, by its title: On the question, Shall this Bill become a law, the ayes and noes were taken, and Messrs. Allen, Booth, Braddock, Drake, Dunlap, Fitzpatrick, Hodges, Jones, Sanchez, Warren and Wright voted in the affirmative; and Mr. President, with Messrs. Bradford and Byrd, in the negative — and the Bill passed. Ordered that the title thereof be, An act to incorporate a Bank, by the name and style of the Bank of Pensacola.

The Bill to be entitled, An act concerning Interest, was made the order of the day for to-morrow.

The Bill to be entitled, an act amendatory of the several acts relative to justices of the peace and Constables, was referred to the Committee on the Judiciary.

The Bill compelling the owners of slaves hired out to pay the physicians' bills, was read a second time & committed to a committee of the whole. Mr. Booth, from that Committee,

reported progress; which report was received. The bill was then ordered to be referred to the Committee on the Judiciary.

The House then adjourned

Thursday, 20th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Hodges gave notice, that after to day, he would introduce a Bill to compel receivers or assessors to receive the returns of taxable property on oath, in this Territory.

Mr. Allen introduced a bill to be entitled, an act to extend the jurisdiction of Justices of the peace to all sums under $100 - and to withdraw such jurisdiction from the County Courts - which was read for the first time.

Mr. McCallen gave notice that he would, on some future day, introduce a bill entitled, an act to incorporate a company to be called the Macissa and Wekiva Navigation Company.

Mr. Byrd presented a petition from Mahalah T. McCaugh, praying to be divorced from her husband, William Waugh, which was read and referred to a select committee. Messrs. Byrd, Bradford and Jones were appointed that Committee.

Mr. Drake offered the resolution following, which was read and laid on the table:

Resolved, That a committee of five be elected, whose duty it shall be, to enquire into and report upon the expediency of removing the seat of government from Tallahassee.

Mr. McCall offered the Preamble and resolution following, which was read and laid on the table until to-morrow.

Whereas the introduction of a Branch of the United States Bank within this Territory, would increase the circulating medium, facilitate commerce and greatly promote the general interest of the Community: Therefore, Be it resolved, By the Governor and Legislative Council of the Territory of Florida, that the President and Directors of the Bank of the United States, be requested to locate a Branch within the limits of this Territory.

Resolved, That the Governor be requested to transmit a copy of this resolution to the President and Directors of the Bank of the United States and certify the same, under the seal of the Territory, with his signature affixed thereto.

The Bill for the relief of L. M. Stone was read a second time and committed to a Committee of the whole - Mr. Byrd, from that Committee, reported progress, which report was received. Mr. Fitzpatrick then moved that the petitioner have leave to withdraw his petition, which was granted.

The Bill entitled, An act to incorporate the City of St. Augustine, was read a second time by its title, and committed to a committee of the whole. Mr. Dunlap, from that committee, reported progress and asked and obtained leave to sit again.

The Bill to be entitled, An act to extend the Laws over the Indians within the Territory of Florida, was read a second time by its title and committed to a committee of the whole, Mr. Allen from that Committee, reported progress and asked and obtained leave to sit again.

The act to regulate our citizens trading with the indians and for other purposes therein mentioned, was read a second time by its title, and committed to a Committee of the whole;- Mr. Wright from that committee reported the Bill with amendments; which report was received, and the Bill ordered to be engrossed and read a third time on Saturday next.

The substitute for the Bill to incorporate a Company to be entitled, The Leon Rail Way Company, reported on a former day, was read a second time and committed to a committee of the whole; Mr. Sanchez from that committee reported progress and asked and obtained leave to sit again.

The Bill to be entitled, an act concerning the marking and Branding of Cattle, was read a third time and passed.

The Bill for the relief of Charles E. Hawkins was read a second time - and the rules of the House having been waved, it was read a third time - on its passage, the ayes and noes were taken; and Mr. President, with Messrs. Allen, Booth, Braddock, Byrd, Drake, Dell, Fitzpatrick, Hodges, Sanchez, Warren and Wright voted in the affirmative; and Messrs. Bradford and Dunlap in the negative: And the Bill passed.

The Bill concerning Inlaws & Outlaws was read a second time and committed to a committee of the whole; Mr. Dell, from that Committee, reported the Bill with amendments; which report was received; and the Bill was ordered to be engrossed and read a third time on Saturday.

The President appointed the following gentlemen to compose the Select Committee on Printing, under the resolution adopted yesterday; viz. Messrs. Dell, Dunlap, and Booth.

The House then adjourned.

Friday, 21st. Jan. 1831.

The House met, pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Booth gave notice that on some future day, he would ask leave to introduce a Bill to be entitled, An act to incorporate the Washington Turnpike Company.

Mr. Jones gave notice that he would, on some future day, ask leave to introduce a Bill defining the articles of produce that slaves, in this Territory, shall be allowed to raise by their Masters, for their own use.

Mr. Booth introduced a Bill to be entitled, An act to add a part of Washington to Jackson County, which was read for the first time & made the order of the day for Tuesday next.

Mr. Warren introduced a Bill to be entitled, An act to incorporate

a company to be entitled, the Masciss a and Ocilla Navigation Company, which was read for the first time and made the order of the day for Monday next.

The President presented a report from the auditor of the Treasury, in answer to a previous call of the House, which was read and ordered to be referred to the Committee on Finance.

Mr. Mclaren introduced the resolution following, which was read and referred to the Committee on Finance:

Resolved, That the Committee on Finance, be instructed to present to the Council, a concise statement of the Finance of the Territory, shewing the amount of the accounts which have been audited and are unpaid; and also, the amount of the debts due the Territory, and the probability of the payment of such debts.

The Bill to be entitled, an act to confirm and give validity to certain letters testamentary and of administration heretofore granted, was read for the second time and ordered to be engrossed and read a third time on Monday next.

The Bill to be entitled, An act to authorize the appointment of Commissioners to take the acknowledgment of deeds and other instruments of writing under seal, was read for the second time and committed to a committee of the whole:

Mr. Drake from that committee, reported the Bill with amendments, which report was concurred in; and the Bill was ordered to be engrossed and read a third time on Monday next.

Mr. Sanchez from the committee of the whole, to whom had been referred an act to prevent Sheriffs and other officers levying Executions in certain cases, reported the same with the Enacting clause stricken out; which report was received, and the Bill was lost.

Mr. Drake from the committee of the whole to whom had been referred the Bill to incorporate a Company to be entitled, The Leon Rail Way Company, and the proposed substitute, reported the same with amendments which report was received. The Bills were then ordered to be referred to a select committee. Messrs. Byrd, Booth, Bradford, Mclaughlin and Wright were appointed that committee.

The House then adjourned.

Saturday, 22nd. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Fitzpatrick gave notice that he would, on some future day, ask leave to introduce a Bill to amend an act to provide for the appointment of auctioneers and defining their duties.

Mr. Yeager gave notice that he would, after to day, introduce a Bill to be entitled, an act authorising justices of the peace to qualify appraisers in this Territory.

Mr. Wright gave notice that he would, on some future day, ask leave to introduce a bill to be entitled, an act to amend the act regulating the partition

of real estate.

The Bill to be entitled, An act to repeal an act entitled, An act to prevent duelling, was read for the first time.

The Bill to be entitled, an act to authorize the election of ~~Tax~~-Receivers of Tax-returns and Tax-collectors, in the several counties of this Territory and to prescribe their duties, was read for the first time.

The Resolution offered on a former day, providing for the procurement of the location of a branch of the Bank of the United States, was called up, read and adopted.

The President presented a report from the Treasurer, in answer to a previous call of the House, which was read and referred to the Committee on Finance.

Mr. Allen from the Committee of the whole, to whom was referred the Bill to be entitled, an act to extend the laws over the Indians within the Territory of Florida, reported the same without amendments, which report was received; and the Bill was ordered to be Engrossed and read a third time on Friday next.

The Engrossed Bill entitled, an act to repeal an act entitled, an act to amend an act regulating the mode of suing out writs of Error & prosecuting appeals, in the court of appeals of the Territory of Florida, was read a third time and passed.

The Bill to be entitled, An act to dissolve the marriage contract between Emeline and Amos E. Brenizer was read a second time and ordered to be engrossed and made the order of the day for Wednesday next.

The Engrossed bill entitled, an act concerning interest was read a third time and rejected.

The Bill to be entitled, an act to incorporate the Central Bank of Florida, was read a second time and committed to a committee of the whole.

Mr. Byrd from that committee reported by a bill to be entitled, an act to incorporate the Bank of Apalachicola - with progress and asked and obtained leave to sit again.

The House then adjourned until Monday.

Monday, 24th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of saturday were read.

Mr. Bradford gave notice that he would, after to day, ask permission to introduce a bill to be entitled, An act to amend an act to incorporate the President and Directors of the Literary Fund.

Mr. Byrd gave notice, that he would ask leave to-morrow, to introduce a bill authorizing John M. Levins to build a bridge across the Aclocknee River.

Mr. Booth gave notice that he would, on some future day, ask leave

to introduce a bill to authorise Stephen J. Roche to establish a ferry across Holmes's creek, in Washington County.

Mr. Warren gave notice that he would, after to day, ask leave to introduce a bill to be entitled, an act for the relief of the citizens of Walton county from certain taxes.

The bill to be entitled, an act to amend the act entitled, an act for the summoning of Grand and Petit Jurors and for other purposes, was read for the first time and ordered for thursday next.

The Bill to be entitled, an act to amend an act relating to crimes and misdemeanors, committed by slaves, free negroes and mulattoes, was read for the first time and ordered to be read a second time, on to-morrow.

The Bill to be entitled, an act to authorise Timothy Leightman to erect a bridge across Black-beneck, in the county of Walton, was read for the first time and made the order of the day for Wednesday week.

The President presented a petition from James H. L. Miller, which was read and referred to a select Committee. Messrs. Hall, Munlap and Wright were appointed that committee.

Mr. Byrd presented the resolution following, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of allowing to clerks of Superior courts, in the several counties of this Territory, prosecuting-attornies and marshals, in the several judicial districts, a fixed salary or certain fee, for services rendered under the laws of this Territory, in relation to criminal proceedings, instead of the present mode of charging fees; and that said committee have leave to report by bill or otherwise.

Mr. Fitzpatrick offered the following resolution, which was read and adopted:

Resolved, That the Territorial Treasurer and Auditor be required to bring into this House their original books, in which all their accounts have been kept, from the time of their appointments to this date, for examination, by the committee, to whom have been referred their several reports.

Mr. Drake offered the resolution following, which was read and adopted:

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of repealing so much of the existing laws as binds personal property from the rendition of judgment.

Mr. Munlap, from the committee on the Judiciary, to whom had been referred the communications from Mr. Rodman, reported: That they had had the same under consideration, and recommend that he have leave to withdraw the same - which report was concurred in.

Mr. Allen offered the Preamble and resolution following, which were read and laid on the table:

Whereas it is burthensome to the people, for unnecessary courts to be held in their respective districts; and whereas courts ought to be ordered where required by their exigencies: therefore, for the better information of future legislatures of the Territory, as to the parts in which the holding of courts, should be increased or diminished;

Resolved, That the Governor be hereby requested to obtain from the several clerks of the Superior courts, a return from each of the clerks, of any of the said courts, of the number of suits on the appearance docket and on the trial docket, in civil cases, and on the criminal docket, in criminal cases, for two years previous to the time of making such returns and report the same

to the next Legislative Council.

The Bill to be entitled, an act to extend the jurisdiction of justices of the peace to all sums under $100- and to withdraw such jurisdiction from the County Courts. was ordered to a second reading on Thursday next.

Mr. Mell from the Committee on Enrolled Bills, reported the following as correctly enrolled; viz.

"An act to incorporate a Bank by the name and style of the Bank of Pensacola"

"An act to regulate our citizens trading with the Indians and for other purposes"

The Bill to be entitled, an act to confirm and give validity to certain letters testamentary and of administration heretofore granted, was read a third time & passed. Ordered, that the title thereof be, "An act concerning Letters testamentary and of administration."

The Bill to be entitled, an act to incorporate a Company to be entitled, The Wacissa and Aucilla Navigation Company, was read a second time and committed to a Committee of the whole; Mr. Wright, from that committee, reported progress and asked and obtained leave to sit again, on saturday next.

The Bill to be entitled, An act to repeal an act entitled, an act to prevent Skulking, was read a second time, and committed to a committee of the whole- on to-morrow.

The Engrossed Bill to be entitled, An act to authorize the appointment of Commissioners to take the acknowledgment of deeds and of instruments of writing, under seal, was read a third time and passed- ordered that the title be as aforesaid

Mr. Drake, from the Committee of the whole, to whom had been referred, the Bill to be entitled, an act to incorporate the Bank of Apalachicola, reported the same with amendments- which report was received and the Bill was ordered to be Engrossed and read a third time on to-morrow.

The House then adjourned.

Tuesday, 25th. Jan. 1831

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Booth gave notice that on some future day, he would ask leave to introduce a Bill to be entitled, An act to amend an act to raise a revenue for the Territory of Florida, passed 20th. Novr. 1828.

Mr. Jones gave notice that on some future day, he would ask leave to introduce a Bill to alter the times of holding Elections in this Territory for members of the Legislative Council.

Mr. Allen gave notice, that on some early day he would ask leave to introduce a Bill to amend the several acts regulating judicial proceedings.

Mr. Byrd introduced a Bill authorizing John H. Levines to build a bridge across the Ocklocnee river, at or near Mondon's Ferry, which was

read for the first time.

Mr. Byrd introduced a Bill to be entitled, an act concerning slaves and the government thereof; which was read for the first time.

Mr. Hodges introduced a Bill to be entitled, an act to authorise Justices of the Peace to administer oaths in certain cases, which was read for the first time.

Mr. Booth introduced a Bill to authorise Stephen L'Roche to establish a ferry across Holmes's creek, in Washington County, which was read for the first time.

Mr. Wright presented a petition from Ellen Foster, praying to be divorced from her husband, Nathaniel Foster, which was read and referred to a select committee. Messrs. Wright, Drake and Gautier were appointed that committee.

Mr. Drake presented the following resolution, which was laid on the table:

Resolved, That the Council will adjourn sine die, on saturday the sixth of February.

The following resolution, offered by Mr. Wright, was read and laid on the table:

Resolved, That the Committee on Elections be instructed to enquire into the expediency of so arranging the several elections in this Territory as to have said Elections holden at one and the same time.

The resolution, offered by Mr. Drake on ~~yesterday~~ Thursday, the 20th inst. was called up, read and on the question of its adoption, the ayes and noes were taken; and Messrs. Allen, Booth, Braddock, Drake, Dunlap, Fitzpatrick, Gautier, Hodges, Jones, Sanchez and Warren, voted in the affirmative; and Mr. President, with Messrs. Bradford, Byrd, Hall, and Wright in the negative— and the resolution was adopted. The House then proceeded to ballot for the committee, and the following gentlemen were chosen; Messrs. Sanchez, Drake, Jones, Booth and Fitzpatrick.

The Preamble and resolutions following were offered by Mr. Gautier, read and laid on the table:

Whereas there have been annually appropriated, since 1824, by the Congress of the United States, thirty thousand dollars for surveys of roads and canals, none of which has ever been expended in the Territory of Florida; and as the only surveys ever made, have not been by the direction of the President, (who has, by law the power of disposing of that appropriation), but under special laws of the United States; and as this Legislative Council entertain the opinion, that there are works of Internal Improvement, in this Territory, of essential interest to its inhabitants and connected with great national improvements, in which the Western and South-Western States are deeply concerned, and in which no constitutional question can be presented,— the advantages of which have been disclosed in addresses and Letters to Committees of Congress and their reports thereon:

Be it therefore resolved, That the President be and he is hereby requested to cause to be specially surveyed and an estimate of the cost presented, of canals to connect Mobile and Pensacola Bays, and thence, pursuing a northern line along the Gulf of Mexico, between Choctawhatchie Bay and a river, and the west arm of St. Andrew's Bay; and, from the east side of St. Andrews to Chipola river, and on to the Apalachicola, with a view of opening a channel of Internal communication, for the conveyance of the products of the Mississippi to the various points on the northern coast of the said Gulf of Mexico.

Resolved further, that the President be requested to cause a survey and estimate of a canal from the St. Mary's river through the intervening section of land to form a continuous navigation from that point to the Florida Keys, with a view to a steam-boat navigation inland, through the sounds, Bays and Rivers of Florida and the existing sounds north of it from Charleston & Savannah to Cuba.

Be it further resolved that a copy of these resolutions be immediately enclosed to our Delegate in Congress, requesting him to lay the same before the President.

Nominations made during the present session.

By Message under date of Janʸ. 18th. 30 the following nominations were made by the Executive and approved of by the Council, for the County of Monroe, viz:

For Notaries Public;
George E. Mavee,
Phillip S. Fontaine,
Robert B. Stannard,
Alexander Patterson
Theodore Owens.

Justices of the Peace;
George E. Mcaver
Joseph Cottrill
Henry S. Waterhouse
Charles Howe
William Cooley
Alexander Patterson

Auctioneer
Robert B. Stannard
George E. Weaver
Alexander Patterson
Joseph Cottrill
Phillip S. Fontaine
Theodore Owens

Mr. Hell, from the select committee to whom was referred the petition of James H. C. Miller, reported by a bill to be Entitled, an act to alter and amend an act, to establish a Medical Board in and for the Territory of Florida - which was read for the first time and made the order of the day for to-morrow.

Mr. Byrd, from the select committee to whom had been referred the petition of Mahalah F. Mclaugh, reported - that they had had the same under consideration, and on a particular examination of all the certificates from respectable persons, are of opinion - that she is entitled to relief and they report a bill with that view and recommend its adoption. The report was received. The Bill is to be entitled, An act to dissolve the marriage contract between Mahalah F. Mclaugh and Lillian Mclaugh. Which was read for the first time.

The following Message was received from His Excellency, M. P. Duval, read and the nomination therein made, concurred in:

Mr. Byrd, from the select committee to whom had been referred the Bill to incorporate a Company to be Entitled, The Leon Rail Way Company, reported the same bill with amendments, and beg to be discharged from the further consideration of the subject - which report was received and the Bill reported read for the first time.

Mr. Hell from the Committee on Enrolled Bills reports the following as incorrectly enrolled:

"A Bill for the relief of Charles C. Hawkins" which was re-committed to a committee of the whole.

Mr. Wright from that Committee reported a substitute and asked & obtained leave to sit again.

Mr. Hell also reported as incorrectly Enrolled, "A Bill to establish a court of Oyer and Terminer at Apalachicola" - which was recommitted to a Committee of the whole, who reported as a substitute a "Bill to be Entitled, an act to establish a court of Common Pleas and of Oyer & Terminer at Apalachicola: Which report was concurred in and the rules of the House were waved, and the Bill was read a second & third time. and Passed.

Mr. Filzpatrick, from the committee of the whole to whom had been referred the Bill to be entitled, an act to repeal an act entitled, An

act to prevent duelling" reported the same without amendment; which report was received and the Bill was ordered to be engrossed and read a third time to morrow.

The Bill to be entitled, An act to add a part of Washington to Jackson County, was read a second time and referred to the Committee on County Boundaries.

The Engrossed Bill to be entitled, An act to incorporate the Bank of Apalachicola was read a third time - and made the order of the day for Friday next.

The House then adjourned.

Wednesday, 26th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Booth introduced a bill to amend an act to raise a Revenue for the Territory of Florida, which was read for the first time and referred to the Committee on Finance.

The President presented a communication from Nathaniel Foster which was read and laid on the table.

Mr. Booth offered the Preamble and Resolutions following which were read and laid on the table:

Whereas in the opinion of this House, the appropriations heretofore made by Congress for the benefit and internal improvement of this Territory, have not been properly distributed, according to the circumstances and wants of the country; and whereas the town of Apalachicola, from its present commercial importance requires, as it deserves, the aid of the National Government:

Be it therefore resolved by the Governor and Legislative Council of the Territory of Florida, that our Delegate in Congress be earnestly requested to endeavour to procure ~~the~~ an appropriation as early as practicable, for the erection of a light House, at the mouth of the Apalachicola River: and that he be also requested to endeavour to procure the passage of a law, providing for the transportation of the mail from some point in the interior to the town of Apalachicola.

Be it further resolved, That the President of the Council be instructed forthwith to transmit copies of these resolutions to the Delegate and to the Post-Master General.

The Preamble and Resolutions offered by Mr. Gautier on yesterday were called up and read:

On the first resolution the ayes and noes were taken, and Messrs. Allen, Byrd, Drake, Hall, Fitzpatrick, Gautier, Hodges, Jones, Sanchez and Wright voted in the affirmative; and Mr. President, with Messrs. Booth, Braddock, Bradford, Hunlap and Warren in the negative - and the resolution was adopted.

Mr. Allen moved to amend the second resolution, by the insertion of the words,- by St. Augustine and"- so as to make it read,- "a canal from St. Mary's River by St. Augustine and through the intervening", &c. And it was so amended. On the resolution so amended the ayes and noes were taken; and Mr. President with Messrs. Allen, Bradford, Byrd, Fitzpatrick, Gautier, Hodges, Jones, Sanchez and Warren voted in the affirmative; and Messrs. Booth, Braddock, Drake, Dunlap, Hall, and Wright in the negative; and the resolution was adopted.

On the Pre-amble the ayes and noes were taken; and Messrs. Booth, Braddock, Drake, Hall, Fitzpatrick, Gautier, Hodges, Jones, Sanchez, Warren and Wright voted in the affirmative; and Mr. President, with Messrs. Allen, Bradford, Byrd, and Dunlap in the negative - and the Pre-amble was adopted.

Mr. Wright moved a reconsideration of the Pre-amble and it was carried. He then moved to amend the Pre-amble by the insertion of the words- "it is believed"- so as to make it read,- "$36.000 for surveys of Road, and canals, none of which," it is believed, "have ever been expended", &c. and it was so amended. The question was then taken on the adoption of the Pre-amble, as amended, and carried in the affirmative.

A message from the Governor, in relation to the public buildings at Fort St. Marks, accompanied by a letter to him, on the same subject, from Ambrose Crane, was received, read and referred to a select Committee: Messrs. Bradford, Byrd and Jones were appointed that Committee.

Mr. Drake, from the select committee to whom had been referred the petition of Ellen Foster, reported by a Bill to be entitled, An act for the relief of Ellen Foster, which was read for the first time.

Mr. Hall, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

"An act concerning the marking and Branding of Cattle."

"An act to repeal an act entitled, An act to amend an act regulating the mode of suing out writs of Error and proceeding upon same in the court of Appeals of the Territory of Florida": and,

"An act to authorize the appointment of Commissioners to take the acknowledgment of deeds and instruments of writing under seal."

The Bill to be entitled, An act to dissolve the marriage contract between Emeline and Amos E. Brenizer, was read a third time; on its passage into a law, the ayes and noes were taken; and Messrs. Allen, Booth, Braddock, Byrd, Drake, Fitzpatrick, Gautier, Hodges, Jones, Sanchez, Warren and Wright voted in the affirmative; and Mr. President, with Messrs. Bradford, and Dunlap in the negative, and the Bill passed.

The Bill to be entitled, An act to repeal an act entitled, An act to prevent Hulling, was read a third time; on the question of its passage into a law, the ayes and noes were taken, and Mr. President, with Messrs. Allen, Booth, Drake, Fitzpatrick, Jones, Sanchez and Warren voted in the affirmative; and Messrs. Braddock, Bradford, Byrd, Dunlap, Gautier, Hodges, and Wright in the negative. and the Bill passed.

The Bill to be entitled an act to incorporate a Company to be entitled, The Leon Rail Way Company was read a second time and committed to a committee of the whole:

Mr. Drake from that Committee reported progress and asked and obtained leave to sit again.

The House then adjourned.

Thursday, 27th. Jan. 1831

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. McLaren gave notice that at some future time he would introduce the following bills:

One to be entitled, An act to authorize the administrators of Mr. J.G. Teague deceased to dispose of his real estate:

One for the relief of Walker county; and, One to establish a ferry across the Suwannee, at or near Old Town.

Mr. Drake gave notice that on to morrow he would ask leave to introduce a bill to be entitled, An act to amend an regulating Criminal proceedings.

Mr. Mell gave notice that on to-morrow he would ask leave to introduce a bill to be entitled, An act in addition to an act entitled, An act to incorporate the President and Directors of the Literary Funds.

The President presented a petition signed by Wm. H. Mathews Jr. and other citizens of Jefferson County praying for an act of incorporation for the town of Monticello, in said county, which was read for the first time and referred to a select committee. Messrs. Bradford, Mell and McLaren were appointed that committee.

Mr. Booth presented a petition from Susan Martino, praying to be divorced from her husband Peter Martino, which was read and referred to a select committee: Messrs. Booth, Drake, and Gautier were appointed that Committee.

Mr. Byrd introduced the resolution following, which was read and adopted:

Resolved, That in future the regular hour of the meeting of the Council shall be at 9 o'clock, A. M. until otherwise ordered.

The Preamble and Resolution offered on yesterday, by Mr. Booth, were called up and read: Mr. Gautier then moved to strike out the first paragraph, in the Preamble, so that it should read "Whereas the town of Apalachicola," &c. the motion was lost. On adopting the preamble and resolutions, the ayes and noes were taken, and Mr. President, with Messrs. Booth, Braddock, Byrd, Drake, Mell, Fitzpatrick, Hodges, Jones, Sanchez, McLaren and Wright voted in the affirmative; and Messrs. Allen, Bradford and Gautier in the negative. And they were adopted.

Mr. Allen offered the resolution following:

Resolved, That our Delegate in Congress be requested to endeavour to have the Engineers, examining a canal route across the peninsula of Florida, instructed to enquire into the practicability and probable cost of making a rail-way across the said peninsula, from St. Augustine to the Suwannee or nearest navigable waters on the Gulf of Mexico, and make report thereon, together with the report of the canal route.

Mr. Wright moved to amend the same, by inserting after the word "Mexico" these words: "sufficient to transport ships across the said peninsula". The motion was lost. The question on the resolution was then taken by ayes and noes, and Messrs. Allen, Braddock, Bradford, Fitzpatrick, Gautier, Hodges, Jones and Sanchez voted in the affirmative; and Mr. President, with Messrs. Booth, Byrd, Drake, Dunlap, Mell, McLaren and Wright in the negative;

and the resolution was rejected.

Mr. Allen offered the resolution following:

Resolved, That our delegate in Congress be requested to have the Engineers employed in surveying a canal route across the Peninsula of Florida to enquire into the practicability and probable cost of making a rail-way across the Peninsula, from the St. Johns river or nearest adjoining navigable water on the Atlantic side of said Peninsula to the Suwannee on the Gulf of Mexico and make report thereon together with their report on the said canal route.

Mr. Wright renewed his motion for amendment, in the same words and after the word Mexico in this resolution as in the former and the motion was lost.

The vote on the resolution was taken by the ayes and noes; and Messrs. Allen, Bradford, Braddock, Fitzpatrick, Gautier, Hodges, Jones, Sanchez & Mclaren voted in the affirmative; and Mr. President with Messrs. Booth, Byrd, Drake, Dunlap, Hall, and Wright in the negative- and the resolution was adopted.

Mr. Drake, from the committee of the whole, to whom had been referred the Bill to incorporate a company to be entitled, The Leon Rail way Company, reported the same with amendments - which report was received. The rules of the House were waved and the Bill ordered to be read a third time by its title - and it was so read. Previous to the question of its passage into a law Mr. Bradford moved to amend the same by inserting the following as the second section of the Bill:

"That books for receiving subscriptions, for the capital stock of said company shall be opened on the 1st. March next, at the City of Tallahassee, under the superintendance of the persons named in the first section of this act, a majority of whom shall be competent to discharge the duties of their appointments, on giving ten days notice thereof in one of the Public Newspapers at Tallahassee and the books of subscription shall be kept open for the space of 30 days unless the stock shall be sooner subscribed for, in which event it shall be the duty of the Commissioners to close the books so soon as the stock has been taken, during which time it shall be lawful for any individual, or copartnership, being citizens of the United States, corporation or body politic, established in the United States, to subscribe for any number of shares not exceeding twenty five, Provided that if the whole number of shares are not taken within the 30 days aforesaid, then and in that case it shall be lawful for any individual, copartnership or body politic to subscribe for any number of shares unsubscribed for, and the shares respectively subscribed for shall be paid by installments in manner following; that is to say: The first installment shall be five per cent on the amount of subscription and shall be paid at the time of subscribing the balance of ninety five per cent to be paid at the discretion of the Pres. and Directors by such installments and at such time as they may direct by giving at least sixty days notice in one of the public Newspapers of Tallahassee."

On this the ayes and noes were taken, and Messrs. Booth, Braddock, Bradford, Drake, Fitzpatrick, Jones and Sanchez voted in the affirmative; and Mr. President, with Messrs. Byrd, Dunlap, Hall, Gautier, Hodges, Mclaren, Wright and Allen in the negative- and the amendment was lost.

Mr. Bradford then proposed the following as an additional section:

"That nothing contained in this act shall authorize the said company to charge any fees, tolls or taxes for the transportation on said road, of cotton, sugar,

molasses, rum, rice, or any other agricultural production over and above four cents per hundred pounds; nor shall they charge more than four (4) cents for 100 lbs. for the transportation of lime or salt.

On this amendment the ayes and noes were taken; and Messrs. Booth, Braddock, Bradford, Fitzpatrick, Jones, and Wright voted in the affirmative; and Mr. President with Messrs. Allen, Byrd, Drake, Dunlap, Hall, Sauvier, Hodges, Sanchez and Warren in the negative - and the amendment proposed, was rejected.

The question was then taken, by ayes and noes, on the passage of this bill into a law. Mr. President and Messrs. Braddock, Byrd, Drake, Dunlap, Sautier, Hodges, Sanchez, Warren and Wright, voted in the affirmative; and Messrs. Booth, Hall, Bradford, Fitzpatrick, and Jones in the negative - and the Bill passed.

The Bill to dissolve the marriage contract between ~~Caroline~~ Mahalah T. Waugh and William Waugh was read a second time and ordered to be engrossed and read a third time to morrow.

The Bill to be entitled, An act to alter and amend an act to establish a Medical Board in the Territory of Florida, was read a second time and committed to a committee of the whole:

Mr. Sanchez from that committee reported progress and asked and obtained leave to sit again.

The Bill to be entitled, an act for the relief of Charles E. Hawkins was read a second time and committed to a committee of the whole:

Mr. Wright, from that committee reported the Bill without amendments which report was received. The rules of the House were then waived, and the Bill was read a third time and passed.

The Bill to amend the act for the summoning of Jurors, &c. was read a second time and committed to a committee of the whole:

Mr. Jones, from that committee, reported progress and asked and obtained leave to sit again.

The House then adjourned.

Friday, 28th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Drake introduced a bill to be entitled, an act to amend the act regulating criminal proceedings, which was read for the first time and made the order of the day for Monday next.

Mr. Hall introduced a Bill to be entitled, an act in addition to an act entitled, an act to incorporate the President and Directors of the Literary Fund, which was read for the first time and made the order of the day for Wednesday next.

Mr. Gautier introduced a bill to be entitled, An act to amend an act regulating the mode of proceeding on attachments, which was read for the first time and ordered to be referred to the committee on the Judiciary and made the order of the day for monday next

Mr. Hill from the committee on Enrolled Bills reported the following as correctly enrolled:

"An act to establish and organize a court of Common Pleas and of Oyer and Terminer at Apalachicola"; and,

"An act concerning Letters Testamentary and of administration".

Mr. Booth, from the select committee to whom had been referred the petition of Susan Martino, reported by a Bill to be entitled, An act to divorce Susan Martino from her husband Peter Martino, which was read for the first time.

Mr. Allen, from the committee on claims, to whom had been referred the Letter of Thomas Douglass reported by a Bill to be entitled, An act for the relief of Thomas Douglass, which was read for the first time, and made the order of the day for monday next.

Mr. Fitzpatrick, from the select committee to whom had been referred the finial presentment of the Grand Jury of the Southern Judicial District, reported by a bill to be entitled, An act to provide for the building of a jail at Key West which was read for the first time and made the order of the day for tuesday next.

The bill to be entitled, An act to dissolve the marriage betwen Malachiah L. Mauch and William Mauch was read a third time. On its passage the ayes and noes were taken; and Messrs. Allen, Booth, Braddock, Byrd, Drake, Hale, Fitzpatrick, Gautier, Hodges, Jones and Wright voted in the affirmative; and Mr. President, with Messrs. Bradford and Duncan in the negative - And the bill passed.

The Bill to be entitled, An act to provide for holding Superior courts in the county of Washington, was read a second time and committed to a committee of the whole.

Mr. Bradford, from that committee, reported the same with amendments, which report was received, and the Bill was ordered to be engrossed and read a third time on monday next.

The Bill to be entitled, An act to incorporate the Bank of Apalachicola was put upon its passage, and the ayes and noes were taken, and Messrs. Booth, Braddock, Bradford, Drake, Fitzpatrick, Jones, Sanchez and Warren voted in the affirmative; and Mr. President, with Messrs. Allen, Byrd, Duncan, Gautier, Hodges and Wright in the negative - And the Bill passed.

The Bill to be entitled, An act relating to crimes and misdemeanors committed by slaves, free negroes and mulattoes was read a second time and ordered to be engrossed and read a third time on Monday next.

The Bill to be entitled, An act to authorize Justices of the Peace to administer oaths in certain cases, was read a second time and ordered to be engrossed and made the order of the day for Monday next.

The Bill to be entitled, An act authorizing John W. Lovinus to build a bridge across the Aclocknee river was read a second time and ordered to be engrossed and made the order of the day for to-morrow.

The Bill to be entitled, An act for the relief of Ellen Foster was read a second time and ordered to be engrossed and made the order of the day for Monday next.

The Bill to be entitled, An act concerning slaves and the government thereof, was made the order of the day for wednesday next.

The Bill to be entitled, An act to authorise Stephen L. Roche to establish a ferry across Holmes' Creek in Washington county was read a second time and ordered to be engrossed and made the order of the day for tuesday next.

Mr. Lindsay, from the committee of the whole to whom had been referred the bill to be entitled, an act to incorporate the city of St. Augustine reported progress- which report was received and the bill ordered to be re-committed to the special committee who had reported it to the House.

The bill to be entitled, An act concerning Elections, was referred to the committee on Elections.

The Bill to be entitled, An act to authorize the election of Receivers of Tax-returns and Tax- Collectors in the several counties in this Territory and to prescribe their duties, was read a second time and committed to a committee of the whole:

Mr. Byrd, from that committee reported the Bill with the Enacting clause stricken out- On the question of concurring in the report of the Committee, the ayes and noes were taken; and Mr. President with Messrs. Allen, Byrd, Blake, Lindsay, Hill, Fitzpatrick, Gautier, Hodges, Jones, Sanchez, Mannon and Knight voted in the affirmative; and Messrs. Booth, Braddock and Bradford in the negative- and the report was concurred in and the Bill lost.

Mr. Hill asked and obtained leave to enter on the Journals of the House his reasons for the vote he had given on the preceding question- which he did as follows:

"That he was opposed to permitting the Receiver of Tax-returns and Tax collector to be elected, because he could have no assurance that persons would be elected who would perform the duties imposed upon them- and who, if they did, would be responsible to the community. That the election of irresponsible persons, if required to give adequate security and unable to do so, would result in the want of such officer and thereby occasion the failure of a due collection of the Revenue. That he was not opposed to Election by the body of the people generally, and as an evidence of it, voted for the Law giving the Election of Sheriffs to the people, who are, by the existing laws Tax- collectors."

The President presented a communication from the Auditor of the Treasury, accompanied by his books, in answer to a former call of the House.

It was then ordered that the Books be placed under the control of the Chairman of the committee of Finance.

The Governor, by his Private Secretary, Mr. Greenup, communicated to the House that he had examined and approved the following bills:

"An act to alter and amend an act to incorporate the Town of West Point and for other purposes";

"An Act concerning the marking and Branding of cattle";

"An act to authorise the appointment of Commissioners to take the acknowledgment of deeds and instruments of writing under seal"; and,

"An Act to regulate our citizens trading with the Indians and for other purposes therein mentioned".

The House then adjourned until to-morrow, 10 o'Clock.

Saturday, 29th. Jan. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of the preceding day were read.

Mr. Fitzpatrick introduced a bile to be entitled, An act to amend an act concerning the appointment of Auctioneers, &c. which was read for the first time and made the order of the day for Wednesday next.

Mr. Allen introduced a Bill to be entitled, An act to establish a Bank in the city of St. Augustine, which was read for the first time and made the order of the day for monday next.

The President presented a communication from the Territorial Treasurer, accompanied by his Books of Office, in answer to a former call of the House

The Engrossed Bile to be entitled, An act authorizing John H. Levinus to build a bridge over the Wekiwhee River, at or near Mosquito Ferry, was read a third time and passed.

The bile to be entitled, An act to divorce Susan Martino from her husband Peter Martino, was read a second time and ordered to be engrossed and made the order of the day for monday next.

The House then adjourned until Monday 10 O'Clock.

Monday, 31st. Jan. 1831.

The House met pursuant to adjournment and a quorum being present the minutes of Saturday were read.

Mr. Hall gave notice that he would, after to-day, ask leave to introduce a Bill to be entitled, An act to prevent persons, not residents of Florida, from bringing negroes into this Territory to be hired out.

Mr. Sanchez gave notice that he would, on Wednesday next, ask leave to introduce a Bill entitled, An act to incorporate the citizens and Planters Canal Company, in the Eastern District of Florida.

Also, that on some future day he would ask leave to introduce a Bill entitled, An act to amend an act entitled, An act establishing county courts and prescribing their jurisdiction.

Mr. Jones introduced a Bill concerning patrols, which was read for the first time and made the order of the day for Thursday.

Mr. Travers introduced a Bill to be entitled, An act to provide for the appointment of Pilots for the St. Johns and Nassau Rivers in the Territory of Florida and for other purposes, which was read for the first time and made the order of the day for to-morrow.

Mr. Bradford presented a petition from Zachariah Jenkins praying to be divorced from his wife Martha Jenkins, alias Martha Foron which was read and referred to a select committee: Messrs. Bradford, Byrd and Jones were appointed that committee.

Mr. Warren presented a petition from Samuel T. Gary praying a charter for a ferry on Black Creek, in Mobile county, which was read and referred to a select committee: Messrs. Warren, Mell and Braddock were appointed that committee.

Mr. Blake offered the resolution following which was read and adopted:

Resolved, That the Committee on Finance be authorized to call on one of the clerks to assist in the examination of the Books and Vouchers of the Auditor & Treasurer.

Mr. Dunlap, from the Committee on the Judiciary, to whom had been referred the Bill to be entitled, "An act to render the owners of slaves liable for the Physicians' Bills, reported by a Bill to be entitled, "An act concerning the hiring of slaves in lieu thereof, which was read for the first time.

Mr. Dell, from the Committee on Enrolled Bills, reported the following Bills correctly enrolled;

"An act to incorporate a company to be entitled, The Leon Rail Way company";

"An act to repeal an act entitled, "An act to prevent dueling";

"An act to dissolve the marriage contract between Mahalah K. Waugh and William Waugh"; and

"An act to dissolve the marriage contract between Emeline Brenizer and Amos E. Brenizer."

The following Messages were received from His Excellency Wm. P. Duval, with the accompanying Bills, which he had approved and signed:

Jan. 31st. 1831.

To the President of the Legislative Council,

Sir,

It is with sincere regret, at all times, that the Executive differs in opinion with the Council, and on no policy more than the establishment of local Banks.

One of the greatest evils ever inflicted on society, arises from the multiplicity of Banks. The two now in operation met with my decided opposition, after the most impartial investigation that could be given to the measure. If Tallahassee and Marianna are entitled to Banks, St. Augustine and Pensacola, two of the largest and populous cities in our Territory, ~~should~~ expect also similar institutions. Where is to be the limit of this policy? May not every county in turn demand the same privilege? The evils which must inevitably spring from so many ~~mined~~ incorporations will be overwhelming; and I see no hope for the preservation of the credit, character and prosperity of our Territory, but in the firm opposition on the part of the Legislative Council to all Banking Companies.

Acting with a single eye to the public good, unbiassed by any motive or feeling but those of the happiness and prosperity of our country, I can only refer the Legislature, to the reasons and opinions heretofore expressed in my Communication of the 23d. Nov. 1828 and of the 13th. Nov. 1829 on such incorporations.

It is possible Sir, that the Executive may entertain erroneous opinions on the subject of local Banks. But if so, he is satisfied that they are founded on actual observation and long experience. Entertaining these sentiments, it would be a criminal dereliction of his principles and an unpardonable abandonment of his public duty,

to avoid the high responsibility of placing his Veto on the Act to incorporate the Bank of Pensacola."

I am respectfully,
Yr. Obt. Servt.
Wm. P. Duval.

Executive Office, Jan. 29th. 1831

To the President of the Legislative Council,

Sir,

I have had under consideration, "An act to establish and Organize a Court of Common Pleas and of Oyer and Terminer in the town of Apalachicola".

Before signing this act, I would suggest that an amendment be made in the 3d. section of the Bill, increasing the penalty of the Clerk's Bond to two thousand dollars, to be approved by the Judge of the Court, and that the said bond should be recorded by the Clerk, a certified copy of which may be read as evidence, in any suit that may be brought on the said bond. The bond of the Sheriff should be recorded in the same Office, for the same object. The act directs that the Judge of the Court should approve of the Bond of the Sheriff, but no such authority is given as to the Clerk's bond.

I have therefore returned the act, because the amendments, if adopted will render the law more certain and perfect. I recommend a re-consideration of the Bill.

Respectfully,
Yr. Obt. Servt.
Wm. P. Duval.

The acts approved, were:

"An act to regulate our citizens trading with the Indians and for other purposes therein mentioned";
"An act concerning Letters Testamentary and of administration";
"An act for the relief of Charles E. Hawkins";
"An act to repeal an act entitled, An act to amend an act regulating the mode of suing out Writs of Error and prosecuting Appeals in the Court of Appeals of the Territory of Florida"; and that he had also approved,
"A pre-amble and Resolution concerning a Light-House at the mouth of the Apalachicola river and a post road to said place."

The Bill to be entitled "An act to establish a Bank in the City of St. Augustine", was read a second time and committed to the committee of the whole.

Mr. Gautier, from that committee reported the Bill with amendments, which were concurred in. The rules of the House were then waived, and the Bill read a third and last time by its title. On its passage, the ayes and nyes were taken; and Messrs. Allen, Brook, Braddock, Drake, Dunlap, Gautier, Hodges, Innes, Sanchez, Warren and Wright voted in the affirmative; and Mr. President, with Messrs. Bradford and Pyra in the negative: The Bill passed. Ordered that the title be, "An act to incorporate a Bank in the City of St. Augustine."

The Bill to be entitled, 'An act to extend the jurisdiction of justices of the Peace to all sums under $100, and to withdraw such jurisdiction from the county courts', was made the order of the day for Wednesday next.

The Bill to amend the act for summoning jurors, &c. was committed to a Committee of the whole:

Mr. Jones, from that Committee, reported progress - which report was received, and, on motion, the Bill was committed to the Judiciary.

The Bill to be entitled, 'An act to amend the act regulating Criminal Proceedings', was read a second time, and ordered to be engrossed and read a third time on to-morrow.

The Bill to be entitled, 'An act for the relief of Thomas Douglas', was read a second time, and committed to a Committee of the whole:

Mr. Warren from that Committee, reported the Bill with the enacting clause stricken out. The ayes and noes were taken on concurring in the report, and Messrs. Bellamy, Booth, Braddock, Bradford, Byrd, Drake, Dick, Gautier, Hodges, Jones, Warren and Wright voted in the affirmative, and Messrs. Allen, Dunlap, and Sanchez in the negative and the report was concurred in.

The Engrossed Bill to be entitled, 'An act to authorise justices of the peace to administer oaths in certain cases', was read a third time and passed: Ordered that the title be, 'An act to amend an act concerning Letters Testamentary and of administration.'

The Engrossed Bill to be entitled, 'An act to provide for holding Superior courts in the county of Washington', was read a third time and passed.

The Engrossed Bill to be entitled, 'An act to divorce Susan Martino from her husband Peter Martino, was read a third time: the yeas and nays were taken on its passage, and Messrs. Allen, Booth, Braddock, Byrd, Drake, Dick, Gautier, Hodges, Jones, Warren and Wright voted affirmatively; and Messrs. Bellamy, Bradford, Dunlap, and Sanchez negatively; and the Bill passed: Ordered that its title be, 'An act for the relief of Susan Martino.'

The Engrossed Bill to be entitled, 'An act for the relief of Ellen Foster was read a third time: On its passage, Messrs. Allen, Booth, Braddock, Byrd, Drake, Dick, Gautier, Hodges, Jones, Warren, and Wright voted in the affirmative; and Messrs. Bellamy, Bradford, Dunlap, and Sanchez in the negative, and the Bill passed.

The Engrossed Bill to be entitled, 'An act relating to crimes and misdemeanors committed by Slaves, free-negroes and mulattoes', was read a third time: the yeas and nays were taken; Messrs. Bellamy, Booth, Braddock, Bradford, Byrd, Dunlap, Dick, Gautier, Hodges, Warren, and Wright voted in the affirmative; and Messrs. Allen, Drake, and Sanchez in the negative; and the Bill passed.

The act to establish and organize a Court of Common Pleas and of Oyer and Terminer, in the Town of Apalachicola', which had been returned by the Governor with his objections thereto, was re-committed to a committee of the whole: Mr. Sanchez, from that committee reported the same with amendments, which report was concurred in: On motion, the rules were waived, the act read a third time and passed.

Mr. Byrd from the Committee of the whole to whom had been referred the Bill to be entitled, 'An act to alter and amend an act to establish a Medical Board in the Territory of Florida', reported progress and asked and obtained leave to sit again.

Mr. President presented a petition from J. H. C. Miller, which having been read, it was, on motion, ordered that he have leave to withdraw his petition and the communication just read.

The House then adjourned until to-morrow 10 o'Clock.

Tuesday, 1st. Feb. 1831.

The House met pursuant to adjournment and a quorum being present, the minutes of yesterday were read.

Mr. Gautier gave notice that on some future day he would introduce a bill to be entitled, 'An act to incorporate the North American Salt Company at Key West.'

Mr. Wright gave notice that on some future day he would introduce a Bill to be entitled, 'An act to incorporate the Trustees of the Pensacola Academy.'

Mr. Forth gave notice that on some future day he would ask leave to introduce a Bill to impose a tax on Hawkers and Pedlars in this Territory: Also, An act to provide for the building of a jail at Apalachicola.

Mr. Byrd from the Committee on Elections, reported a Bill to be entitled, 'An act to amend an act entitled, An act concerning the election of members to the Legislative Council of the Territory of Florida,' which was read and ordered to a second reading on Friday next.

Mr. Warren introduced a Bill entitled, An act establishing a ferry over Black Creek in Duval County, which was read and ordered to a second reading on to-morrow: also, a bill to be entitled, An act to authorize the administrator of Dr. J. L. Teague deceased to dispose of his real estate, which was read and ordered to a second reading on Thursday next.

Mr. Bradford introduced a Bill to be entitled, 'An act more fully to prescribe the duties of Auditor and Treasurer of the Territory of Florida,' which was read and ordered to a second reading on Saturday next.

Mr. Wright presented a petition from the Church Wardens and Vestrymen of Christ's Church in the City of Pensacola, praying to be allowed to sell the scheme of a Lottery for the benefit of said church; which was read and referred to a select committee, consisting of Messrs. Wright, Drake & Gautier.

Mr. Warren presented petitions from many citizens of Duval county

in relation to County Boundaries and the jurisdiction of County Courts, which were read & referred to the Committee on County Boundaries.

Mr. Fitzpatrick presented a petition from the President and Councilmen of the town of Key West, praying an amendment of their Charter of Incorporation, which was read and referred to a select committee, consisting of Messrs. Fitzpatrick, Booth and Sanchez.

Mr. Paddock offered the resolution following, which was read and laid on the table: viz.

Resolved, That our Delegate in Congress be requested to urge the necessity of a supply of arms being transmitted to the Eastern District of this Territory, for the use of the Militia thereof.

The pre-amble and resolution offered by Mr. Allen on a former day, calling for information in relation to the business of the Superior Courts for the ten preceding years was called up, read and rejected.

Mr. Boyd from the Committee on Elections to whom had been referred the Bill to be entitled, an act concerning Elections, reported that it was inexpedient to enact the same, and recommended a substitute previously mentioned.

Mr. Hall from the committee on Enrolled Bills, reported the following correctly enrolled:

"An act to amend an act concerning Letters testamentary & of administration."

"An act authorizing John W. Levinus to build a bridge over the Wolcockee River at or near Mendon's ferry".

"An act to incorporate a Bank in the City of St. Augustine", and,

"An act to incorporate the Bank of Apalachicola."

Mr. Dunlap from the Judiciary made the following report: As a substitute for the Bill to be intitled, an act to amend an act Regulating the mode of proceeding on Attachments, which had been committed to that committee, they reported an amended Bill, which was read and ordered to a second reading to-morrow. Also,

A Bill to be entitled, An act to amend an act concerning the appointment and jurisdiction of justices of the peace, in lieu of the Bill to be entitled, an act amendatory of the several acts relative to justices of the peace and constables, which was read a first time: Also,

That the Committee had received proposals relative to the compilation of the Statutes of the Territory. Believing an accurate compilation and publication of the Statutes to be a subject in which the Public are deeply interested, they beg leave to submit to the consideration of the House the Resolution following, and the accompanying Bill; with certain documents connected with the subject:

Resolved by the Governor and Legislative Council of the Territory of Florida, that the Delegate in Congress from this Territory be requested to procure, at this session of Congress, an appropriation of fifteen hundred dollars to defray the expense of the publication of the Statutes of this Territory, as directed by an act of this session and that a copy of this Resolution be forwarded to him."

Which was read and laid on the Table.

The accompanying Bill is to be entitled, An act for the compilation of the Statutes of this Territory, which was read a first time and ordered to a second reading to-morrow.

He further reported, That the committee deemed it inexpedient to legislate upon the subject of the Bill to be entitled, An act to secure to persons the right to payment for improvements made on Public Lands and beg to be discharged from the further consideration of the same.

On motion of Mr. Bradford the last subject was laid on the table.

The documents embraced in the preceding report are, A letter addressed to the chairman of the committee by messrs. Westcott and Booth, and a prospectus issued by them proposing to publish a compilation of the Statutes of the Territory, including those of the present session and embracing all hitherto passed, whether now in force, repealed or obsolete.

Mr Bradford, from the select committee to whom had been referred the petition of many citizens of Jefferson county, reported a bill to be entitled an act to incorporate the Town of Monticello which was read for the first time and ordered to a second reading on Friday next.

Mr Bell from the select committee to whom had been referred a petition from many citizens of Hamilton county, concerning the Jackson Mineral Springs in Hamilton County, reported a bill to be entitled, An act to incorporate the Jackson Springs in Hamilton County which was read for the first time and ordered to a second reading on Thursday next.

The act to incorporate a Bank by the name and style of the Bank of Pensacola which had been returned to this House by the Governor for revisal, was reconsidered; and Messrs Allen. Booth. Braddock. Drake. Fontaine. Kilpatrick. Lauder. Hedges Jones. Sanchez. Warren and Wright, voted in the affirmative. and Mr President with Messrs Bradford. Byrd and Bell in the negative and the Bill passed with the requisite majority.

The engrossed Bill to be entitled, An act to amend the act regulating criminal proceedings was read a third time and passed.

The engrossed Bill to be entitled An act to incorporate Holmes & Roache to establish a ferry across Holmes Creek in Washington county was read a third time and passed.

Mr Wright from the committee of the whole to whom had been referred the Bill to be entitled, An act to incorporate the Wacissa and Aucilla Navigation company, reported the same with amendments, which report was received and the Bill, ordered to be engrossed and read a third time on Thursday next.

Mr Byrd from the committee of the whole to whom had been referred the Bill to be entitled, An Act to Alter and Amend an Act to establish a Medical Board in the Territory of Florida reported progress and asked and obtained leave to sit again.

The House then adjourned until to-Morrow 10 Oclock.

"Wednesday 2nd Feby 1831.

The House met, pursuent to adjournment, and a quorum being present, the minutes of yesterday were read.

Mr Wright, gave notice that, he would on some future day, introduce a bill to be entitled, An Act to authorise the building of a jail in the City of Pensacola.

Mr Jones gave notice that, he would on some future day ask leave to introduce a Bill prohibiting Slaves from raising Cotton:

Also a Bill, repealing the law, prohibiting Usury.

Mr Beck introduced a Bill to provide for the building of a jail in the town of Appilachacola which was read for the first time and ordered to a second reading on Friday next.

Also, An Act concerning Pilots at Appilachacola which was read for the first time.

Also, A Bill to impose a tax on Hawkers and Peddlers which was read a first time and ordered to a second reading on Monday.

Mr Eunis introduced a Bill to be entitled an Act relative to Executors and administrators which was read for the first time and ordered to a second reading on Saturday next.

Mr Gallier introduced a Bill to be entitled, An Act, to incorporate the North American Salt company which was read for the first time and ordered to a second reading on Saturday next.

Mr Duke introduced the resolution following, which was read and adopted.

Resolved: That the committee on Finance be authorized to send for persons and papers, and that the Chairman of said committee be authorized to administer to any person or persons, an Oath - duly, to speak, in relation to any matter proper before said committee.

The following preamble and resolution were introduced by Mr Sanchez and read and adopted:

Whereas it is represented to this Legislative Council that, the 16th Sections reserved for school purposes in the County of St Johns, in the Eastern District of Florida, will in all probability, be of little or no value, and in no way calculated to answer the benign intentions of Congress in making the Reservation:

Be it therefore resolved that our representative in Congress be requested to endeavour to have a law passed granting the privilege to said County of St Johns to locate the sections, within the bounds of said County, on any of the Public lands in the Eastern District of this Territory.

And be it further resolved, That the Presidents of the Legislative Council be requested to order a Copy of this resolution to be forwarded to our Delegate in Congress, immediately after its adoption.

Mr Sanchez from the select committee, to whom had been referred the Bill to be entitled, An act to incorporate the City of St. Augustine reported the same with amendments which report was concurred in, and the Bill read a first time and ordered to a second reading on to-morrow.

The Bill to be entitled, An act to provide for the appointment of Pilots for the St Johns and Nassau Rivers in the Territory of Florida and for other purposes was read a second time. The rules of the House were then waved, and the Bill read a third time and passed.

The Bill concerning the hireing of Slaves was read a second time and ordered to be engrossed and read a third time to-morrow.

The Bill to be entitled, An act to amend an act regulating the mode of proceeding on attachments was read a second time— Ordered, that the further consideration thereof be postponed until Saturday next.

The Bill to provide for Building a jail at Key West, was read a second time and committed to a Committee of the whole.

Mr Warren from that committee reported the Bill with Amendments, which report was concured in and the Bill ordered to be engrossed and read a third time on Friday next.

Mr Byrd from the committee of the whole to whom had been referred the Bill to be entitled. An Act to alter and amend an act to establish a Medical board in the Territory of Florida reported the same with amendments— which report was received and the Bill ordered to be engrossed, and read a third time on Friday.

The Bill to be entitled An Act concerning Slaves and the government thereof was read a second time and committed to a Committee of the whole:

Mr Braddock from that committee reported the same with the enacting clause stricken out: The question was then taken on concurring in the report of the committee; Mr Jones then called for the Ayes and Noes; And Mr President with Messrs. Allen Bradford Braddock, Byrd, Drake, Dell Fitzpatrick Gautier, Hodges, Sanchez Warren and Wright voted in the affirmative; And Messrs. Booth and Jones in the negative— And the report was concured in and the Bill rejected

The Bill to be entitled, An act for the compilation of the Statutes of this Territory was read a second time, and ordered to be engrossed and read a third time to-Morrow.

The Act to amend, an Act concerning the appointments of Auctioneers was read a second time and committed to a committee of the whole; Mr Booth from that committee reported the same with amendments. which report was received and the Bill ordered to be engrossed and read a third time on Monday next.

The Act establishing a ferry over Blacks Creek in Duval County was postponed until Monday next.

The House then adjourned until to-Morrow 10. Oclock.=

Thursday 3d Feby. 1831

The House met pursuant to adjournment and a quorum being present the Minutes of yesterday were read.

Mr Dell gave notice that he would after this ask leave to introduce a Bill entitled. An act to amend an act relating to roads. Highways and ferries.

Mr Gautier gave notice that he would hereafter introduce a Bill to be entitled, An act to provide for the Election of a County Seat for the County of Jackson.

Mr Dunlap gave notice that he would on to morrow ask leave to introduce a Bill, to provide for the regular distribution of the laws of this Territory.

Mr Byrd offered a petition from several citizens of Leon County praying for a ferry accross the Wacculla River to St. Marks;

Also a Memorial from the Mayor and councilmen of the town of Magnolia praying an amendment of their charter of incorporation. both of which were read and referred to a select committee Messrs. Byrd. Bradford and Jones. were appointed that Committee.

Mr Sanchey introduced a Bill to be entitled. An Act to amend an act to establish county courts and prescribe their jurisdiction, which was read for the first time and referred to the committee on the Judiciary.

Mr Booth introduced a Bill to be entitled an Act concerning Banks, which was read for the first time.

The resolution following, was offered by Mr Allen, read and laid on the table:

Resolved that the committee on the Judiciary, be instructed to enquire into the expediency of providing by law, that on causes hereafter accruing, wherein Suit may be instituted the writ in which shall be served thirty days before Court, and the declaration filed ten days before court. Such Suit shall be triable at the first term unless there be just cause for continuance and that they report by Bill or otherwise.

The resolution following, was offered by Mr Jones. read and laid on the table:

Resolved, that a committee of five be appointed to investigate the subject and report to this House the most suitable and appropriate weights and measures for the future standard of this Territory.

The resolution offered by Mr Dunlap, from the Committee on the Judiciary, relative to the procurement of an appropriation for the compilation and publication of all the Statutes of this Territory, was called up read and adopted.

Mr Dell from the committee on enrolled Bills reported the following as correctly enrolled:

"An act to provide for holding Superior Courts in the County of Washington";

"An Act for for the relief of Susan Martine";
"An Act to amend an Act relating to Crimes and Misdemeanors Committed by Slaves free negroes and Mullattoes";
"An Act for the relief of Ellen Foster"
"An Act to Establish and Organize a Court of common Pleas and of Oyer and Terminer in the County of Appilachacola";
"An Act to provide for the Appointment of Pilots for the St Johns and Nassau Rivers in the Territory of Florida and for other purposes"; and,
"An Act to provide for the compilation and publication of all the Statutes of this Territory".

Mr Dunlap from the select committee to whom had been referred the petition of Sundry citizens of the town of Quincy, reported by a Bill to be entitled, an Act to amend an Act entitled, An Act to incorporate the town of Quincy, which was read for the first time.

Mr Fitzpatrick, from the select committee to whom had been referred the memorial of the Town Council of Key West, reported a bill to be entitled an Act concerning the Town of Key-West, which was read for the first time

The Governor by his Privat Secretary Mr C.E. Hyrnes communicated to the Council that he had approved and Signed the following Acts:

"An Act to amend an Act concerning Letters Testamentary and of administration;" and,

"An Act authorizeing John W. Lownes to build a bridge over the Pelaclonee River at or near Windons ferry".

At the same time he transmitted the following Messages.

Executive Office
February 2d 1831

To the President of the Legislative Council

Sir

After examination of the two Acts. one to dissolve the Marriage contract between Emeline Brenizer and Amos B. Brenizer, the other to dissolve the Marriage Contract between Malinda J. Waugh, and William Waugh, on due consideration the Executive deems it improper and impolitic, to give them his sanction. Such Acts are allmost constantly passed on Ex parte Statements, or Evidence, and however plausible one side may render the case of the other could be fairly heard No divorces would be granted by the Legislature.

There is an Act (Now the law of this land) authorizeing the Courts to take jurisdiction of all such cases. The courts are governed by law and evidence and have more time to investigate every case, and to examine and weigh the facts and evidence, than any Legislative body. This power being fully confered on the Superior Courts of the Territory should not now in my humble Opinion be resumed by the legislative Council.

I have therefore rejected the Acts leaving the parties to their remedy at law

I am Respectfully
Your Obt Servant
Wm P. Duval

Executive Office
Feby 2d 1831

To The President of the Legislative Council

Sir

I herewith return two acts as rejected— one to incorporate a Bank in the City of St Augustine and the other to incorporate the Banks of Apalachicola. I have no additional reasons to offer for the rejection of these Acts but such as the Executive has heretofore urged against the Charters of the Banks at Tallahassee. Marianna, and Pensacola,

I am Respectfully
Yr. Obt. Servant
Wm. P. Duval.

Executive Office
Feby 2d 1831.

To the President of the Legislative Council.

Sir

I regret exceedingly the passage of the "Act to repeal an Act entitled an Act to prevent duelling"
I consider this law which the Legislature now desires to repeal as one of the Best in our Code— It is unnecessary for the Executive to remind the Legislative Council, of the strong manner, this subject was pressed upon their attention by the Message of 1829.

The Executive is unconscious of the reasons that have operated on the Council to induce the repeal of the dueling Act. But nothing has occurred to change the opinion of the executive on this subject and his duty and judgment unite in rejecting the repealing Act.

I am Respectfully
Your Obt Servant
Wm P. Duval.

The roll of the House was then taken on reconsidering the several Acts referred to in the Message just read, and carried. The further consideration of the Acts following was postponed viz.

"An Act to incorporate the Bank of Apalachicola"
"An Act to dissolve the Marriage contract between Mahala Haugh and William Haugh." and
"An Act to dissolve the Marriage Contract between Eneline Benizor and Amos E. Benizor."

The vote was then taken on the "Act to incorporate the Bank of St Augustine and the Ayes and noes having been called. Messrs. Allen, Booth, Braddock, Drake, Dunlap, Fitzpatrick, Gautier, Hodges, Jones, Sanchez Warren and Wright's votes in the affirmative: and Mr Presidents and Messrs Bradford, Byrd and Dell in the negative, and the Act passed by a requisite Majority.

The vote was then taken on the "Act to repeal an act entitled, an act to prevent Huckling". And Mr President and Messrs. Allen, Booth, Braddock Drake, Dell, Fitzpatrick, Jones, Sanchez and Warren voted in the affirmative, and Messrs Bradford, Byrd, Dunlap, Hodges, Gautier and Wright in the negative; and it was lost, for want of a requisite Majority.

The Bill to be entitled, An Act to incorporate Jackson Lyceum in Hamilton County, was read a second time and ordered to be committed to a committee of the whole on to-Morrow.

The Bill to be entitled, An Act to amend an act concerning the appointment and jurisdiction of Justices of the Peace, was read a second time and committed to a committee of the whole.

Mr Sanchez from that committee reported the same with amendments, which report was received, Ordered that the further consideration thereof, be postponed until some future day.

The Bill to be entitled, An Act, concerning patrols, was read a second time and committed to a committee of the whole;

Mr Gautier from that committee reported progress and asked and obtained leave to sit again.

The engrossed Bill to be entitled, "An Act to extend the laws over the Indians within the Territory of Florida, was committed to a committee of the whole;

Mr Warren from that committee reported thereon the amendments which report was received, The rules of the House on motion were waived, the Bill as amended read a third time - on its passage. The Ayes and Noes were taken; And Mr President with Messrs. Allen, Booth, Braddock Drake, Dell, Fitzpatrick, Jones and Warren voted in the affirmative and Messrs, Bradford, Byrd, Dunlap, Gautier, Hodges, Sanchez and Wright in the negative - And the Bill passed.

The engrossed Bill to be entitled, An Act concerning the Driving of Slaves was read a third time and passed.

The engrossed Bill to be entitled, an act to incorporate a company to be entitled, The Wacissa and Aucilla Navigation Company, was read a third time - the Ayes and Noes were taken on its final passage and the President and Messrs. Allen, Booth, Braddock, Byrd, Drake Dunlap, Fitzpatrick Gautier Hodges, Jones, Warren and Wright, voted in the affirmative; and Messrs Bradford, Dell and Sanchez in the Negative and the Bill passed.

The Bill to be entitled, An Act to authorise the personal representatives of Dr. F. Yeager to dispose of his real estate, was read a second time and on motion the rules of the House were waived, and the same read a third time and passed.

The engrossed Bill to be entitled an act to provides for the compilation and publication of all the Statutes of this Territory was read a third time and passed

The Bill to be entitled an act to incorporate the City of St Augustine was read a second time, and committed to a committee of the whole Mr Fitzpatrick from that committee, reported the same with amendments which report was received, And the Bill as amended ordered to be engrossed and read a third time to-Morrow.

The House then adjourned until to-Morrow 10: O Clock.

Friday 4th Feby. 1831

The House met pursuant to Adjournment and a quorum being present the minutes of yesterday were read.

Mr Doll gave notice that after this he would ask leave to introduce a bill to be entitled an act concerning witnesses and the mode of claiming their attendance.

Mr Braddock gave notice that, at some future day he would ask leave to introduce a Bill to be entitled, an act to incorporate the City of Fernandina.

Mr Gautier introduced a Bill to be entitled an act to provide for the election of a County Seat of Jackson County, which was for the first time and referred to a Select committee: Messrs Hodges. Wright and Allen, were appointed that committee.

Mr Doll introduced a Bill to be entitled an act concerning witnesses and the mode of claiming their attendance. which was read for the first time and ordered to a Second reading on Monday next.

Mr Jones offered the following resolution which was read and laid on the table.

Resolved that the Adjutant General of this Territory be requested to inform this House, whether any and if so, what returns have been made to the proper departments of the General Government of the State of the Militia of this Territory and of the Public Arms distributed among the same and to communicate to this House a copy of the returns made; and if no returns have been made the reasons thereof.

Mr Sanchez offered the Preamble and resolution following which was read and laid on the table:

Whereas it is represented to this Legislative Council of the Territory of Florida that, for the want of a knowledge of the English Language or from other circumstances numbers of the Old inhabitants of this Territory residing in the Eastern District of Florida have through ignorance of the laws of Congress, on the subject of Land Claims omitted to file their said claims before the Board of Land Commissioners within the time prescribed by the said laws of Congress.

Be it therefore resolved that our Delegate in Congress be requested to endeavour to obtain the Passage of a law authorizing persons who through Ignorance of the Laws, or other circumstances have omitted to file their Claims before the late Board, for the Settlement of Land Claims, to file the same before the Superior Court of said District, or such other tribunal as may be deemed proper.

Mr Warren offered the resolution following which was read and laid on the table:

Resolved that the Judiciary committee be instructed to enquire into the Expediency of authorising the Clerks of the Superior Courts in this Territory to Issue writs of Certiorari.

Mr Booth introduced the Preamble and resolution following which was read and laid on the Table:

Whereas the Legislative Council has, during its present session requested the Establishment of a Branch Bank of the United States in this Territory, Without assigning the place, at which the location of the same is desired; And whereas, the Town of Apalachicola possesses superior commercial advantages and its prospects of future importance is the most suitable point, for the location of such Branch Bank it is therefore;

Resolved. That it be recommended that such Branch Bank be located at the town of Apalachicola And that the Governor be requested to forward a Copy of this resolution to the President of the Bank of the United States.

The resolution offered by Mr Allen on Yesterday, was read and laid on the Table. Was again called up.

The Ayes and Noes were taken. and Messrs Allen, Drake, Duncan Fitzpatrick, Sanchez and Wright Voted in the affirmative. and Mr President with Messrs. Booth. Broadnax. Branford, Byrd. Dell, Gautier. Hodges. Jones and Warren in the Negative and the resolution was rejected.

Mr Dell from the committee on enrolled Bills reported the following as correctly enrolled.

"An Act concerning the hiring of Slaves"; and

"An Act to amend the Act regulating Grand and Petit Juries"

Mr Wright from the select committee to whom had been referred the Memorial of the Church Wardens and Vestrymen of Christ Church in the City of Pensacola reported a Bill to be entitled, An Act for the relief, of the Church Wardens of Christ Church in the City of Pensacola which was read for the first time.

The Governor by his private Secretary, Mr C.C. Yonge transmitted the following Message.

The vote of the House was then taken on a reconsideration of the Act lyeaten and carried in the affirmative, ordered that the further consideration of the same be postponed.

On motion of Mr Booth. the Remarked Copies of the Governors Message was ordered to be printed.

The Bill to be entitled. An act to amend, an Act to incorporate the town of Quincy was read a Second time and ordered to be engrossed and read a third time on Monday Next.

The Bill to be entitled. An Act to incorporate the town of Monticello was read a second time — On Motion the rules of the House were waved and the same read a third time and passed.

The Bill to be entitled. An Act in addition to an Act entitled, An Act to incorporate the President and Directors of the Literary fund was read a second time and committed to a committee of the whole:

Mr Allen from that committee, reported the same with amendments, which report, was received = On Motion the rules of the House were waved, and the Bill as amended read a third time. It was moved to recommit the same, and was agreed to. The Bill was again recommitted

Mr Allen reported the same with amendments, which was received and the Bill passed. Ordered that the title thereof be. A Bill to be entitled, An Act concerning the Literary fund.

The House then resolved itself into a committee of the whole, on the consideration of the Bill, to be entitled, an Act to incorporate Jackson Spring in Hamilton County:-

Mr Branford from that committee reported the same with amendments which report was received, and on Motion the rules of the House were waved and the same read a third time and passed.

Mr Gautier from the Committee of the whole, to whom had been referred the Bill to be entitled, An Act concerning Patrols, reported the same with amendments, which report was received and the Bill as amended ordered to be engrossed and read a third time on Monday next.

The Bill to be entitled, An Act concerning Key West was read a second time, and on Motion the rules of the House were waved and the same read a third time and passed.

The engrossed Bill to be entitled, An Act to incorporate the City of St Augustine was read a third time and passed.

The House then adjourned until to Morrow 10. O.Clock =

Saturday 5th. Feby. 1831.

The House met pursuant to adjournment and a quorum being present the minutes of yesterday were read.

Mr Sanchez introduced a Bill to be entitled an Act to incorporate the Planters and Citizens Canal Company in the Eastern District of Florida which was read for the first time, and placed among the Orders of the day

Mr Bradford presented a memorial from William Carter praying relief against the Act of 22d. November 1828. divorcing his wife Mary Carter from him the said William Carter. which was read and referred to the Committee on the Judiciary.

The resolution following was offered by Mr Drake. read and adopted

Resolved that the Secretary of the Territory be requested to furnish this House the petition of Mrs. Carter to the Council. together with the documents. upon which the Act referred to in the preceding memorial. was procured.

The resolution offered by mr Jones on Yesterday in relation. to the returns of the Adjutants General. was called up read and adopted.

Mr Byrd from the Select Committee to whom had been referred the petition of Many Citizens of Leon County praying for a Charter for a ferry across the Wacculla River. reported by a Bill to be entitled, an Act to establish a ferry across the Wacculla River. at or near Fort St Marks, which was read for the first time.

Mr Bradford from the Select Committee to whom had been referred the the Message of the Governor and a communication to him from Ambrose Crane in relation to the Public Buildings, at fort St Marks, reported by a Bill to be Entitled. An Act to Amend, An Act to Constitute a Board of Trustees. for Fort St Marks. which was read for the first time and made the Order of the day for wednesday next.

The act to dissolve the Marriage Contract between Rebekah T. Waugh and William Waugh. which had been returned to the Council rejected was re-considered, and Messrs Allen, Booth, Braddock. Byrd. Dell Drake, Fitzpatrick. Gautier Hodges. Jones, Sanchez. Worden and Wright voted in the affirmative; and Mr President. with Messrs Bradford and Dunlap, in the negative, and the Act passed by the requisite Majority.

The Act to dissolve the Marriage Contract between Emeline Boerger and Amos G Boerger, which had also been returned by the Governor rejected, was reconsidered and passed by the requisite Majority. Messrs Allen, Booth, Braddock, Byrd, Dell, Drake, Fitzpatrick, Gautier Hodges, Jones, Sanchez, Worden and Wright. voting in the Affirmative, and Mr President. with Messrs Bradford and Dunlap in the Negative.

The Bill to be entitled, an Act concerning pilots at Apalachicola was read a second time and committed to a committee of the whole:

Mr Sanchez from that committee, reported the same with amendments, which report was recieved and the Bill ordered to be engrossed and read a third time on monday next.

The Bill to be entitled, An Act to amend an Act. regulating the mode of proceding on Attachment was read a second time and Ordered to be

engrossed, and read a third time on Monday.
The engrossed Bill to be entitled, An act to alter and amend, An Act, to establish a medical Board in the Territory of Florida, was read a third time, on its passage,— The Ayes and Noes were called for, and Mr President, with the Messrs, Allen, Braddock, Bryan, Fitzpatrick, Gautier, Jones, Hodges, Sanchez, Craven and Wright, voted in the affirmative and Messrs. Booth, Branford, Dell, Drake Dunlap and Jones in the negative, And the Bill passed— Ordered that the title thereof be— An Act Concerning practitioners of Medicine in this Territory.—
The engrossed Bill to be entitled, An Act to provide for building a jail at Key West was read a third time.— The House then resolved itself into a Committee of the Whole, for the consideration of the same— And Mr Drake from that Committee, reported the Bill with amendments, which report was concured in. On its passage Mr President and Messrs Booth, Braddock, Bryan, Fitzpatrick, Gautier, Jones, Hodges, Sanchez, Craven, Wright, Allen Dunlap and Drake voted in the affirmative, and Messrs Branford and Dell in the negative and the Bill passed.
The Bill to be entitled, an Act to incorporate the North American salt Company, was postponed until Monday next.
The Bill to be entitled, An Act to authorize Timothy Weightman to erect a bridge across Black creek in the County of Duval, was ordered to be laid upon the table until the first day of March next.
Mr Gautier from the Committee of the Whole to whom was referred the Bill to be entitled, An Act to extend the jurisdiction of Justices of the Peace, to all sums under $100 and to withdraw such jurisdiction from the County Courts, reported progress and asked and obtained leave to sit again
The Bill to be entitled, An Act more fully to prescribe the duties of Auditor and Treasurer of the Territory of Florida, was read a second time and the further consideration thereof postponed until Monday.
The Secretary of the Territory. Through the President communicated to this House in answer to a call heretofore made, a list of the Officers of this Territory, which was laid on the Table

The House then adjourned until Monday 10 O. Clock

Monday 7th. Feby 1831.

The House met pursuant to adjournment and a quorum being present the minutes of Saturday were read.
Mr Hodges asked and obtained leave to introduce a Bill to be entitled An Act, to Amend, an Act to raise a revenue for the Territory of Florida which was read for the first time.

Mr Bradford gave notice that he would on to-morrow ask leave to introduce a Bill to be entitled, An Act to define the northern and eastern Boundary lines of Leon County.-

Mr Gautier gave notice that he would introduce a Bill to be entitled An Act to amend the several Acts incorporating the towns of Marianna and Webbville.

Mr Wright introduced a Bill to be entitled, an Act to incorporate the Trustees of the "Pensacola Academy which was read for the first time.

Mr Gautier introduced a Bill to be entitled an Act to amend the several Acts passed to incorporate the Bank of West Florida, which was read a first time.

Mr Warren introduced a Bill to be entitled an Act to establish a ferry across the Suwanee River, which was read for the first time

Mr Wright also introduced a Bill to be entitled, an Act to provide for the erection of a jail at Pensacola, which was read for the first time.

Mr Bradford presented a petition from Lorena Rumel which was read and referred to a Select Committee, Messrs Bradford, Byrd. and Jones were appointed that Committee.

The resolution following offered by Mr Booth, was read and adopted:

Resolved that the committee on the Judiciary be instructed to enquire into the expediency of regulating by law the Fisheries on the Coast of Florida and the Islands and Keys thereof from the encroachments and depredations, of Foreigners, and for the regulation by Law of the use of said Fisheries by Citizens of the United-States and the creation of a revenue therefrom to the Territory

The following resolution was offered by Mr. Dell, read and laid on the Table:

Resolved, That the Treasurer be and is hereby authorized and required to continue the issue of Territorial Scrip under the same rules, regulations restrictions and provisions as were authorized by a law passed at the last session of the Legislative Council

The following Preamble Resolution offered by Mr Bradford was read and laid on the Table.

Whereas it is believed that if a rail-road was made between Tallahassee and St Marks it would greatly facilitate and lessen the expence of the transportation of Goods and produce and would thereby contribute very much towards the promotion of agriculture and Commerce

And whereby it is conceived that the work would be accomplished at a small expence in comparison with its importance and general utility to the people of this section of the Country and it is believed that an undertaking in which so large a portion of the People are so deeply interested, ought always to be under the controul of their immediate representatives in order that the work may be made generally useful and the profits if any resulting therefrom may be appropriated in the promotion of some general system of Education or to some other useful public purpose

Be it therefore resolved by the Legislative Council of the Territory of Florida the the Governor be and he is hereby requested respectfully to solicit the "Presidents of the United States to cause an Examination and Estimate to be made of the Cost of a rail Road on the most practible

practicable route from Tallahassee to St Marks or to some place on the river St Marks between Magnolia and that place possessing the most advantages for the shipment of produce. And of such examinations & estimate should be made, that he report the same to the next Legislative Council together with such useful facts upon the subject as it may be in his power to submit.

And Be it further Resolved that the Delegate in Congress from this Territory be requested to obtain permission from the Government for the Territory to take and use any timber or other Materials on the Public Lands which may be necessary in the making or repairing the said road; and also if practicable, to get the Government to make such donation of Public lands, or other Means as it may be willing to contribute towards the accomplishment of an object so useful and desirable.

Mr Dunlap from the committee on the Judiciary, who had been directed by resolution to enquire into the expediency of altering and regulating the times of holding Superior Courts in the Western Judicial District, reported that the committee have had the same under consideration and deem it inexpedient to Legislate further on the subject, which report was concurred in.

Mr Dell from the committee on enrolled Bills, reported the following Acts, correctly enrolled:

"An Act concerning practitioners of Medicine in this Territory".

"An Act to incorporate a Company to be entitled, the Wakulla and Apalachicola Navigation Company".

"An Act to authorize Stephen T. Roache to establish a ferry across Holmes' Creek in Washington County": and

"An Act to authorize the Personal representatives of Doct. T.G. Teague deceased to dispose of his real Estate".

The Governor by his private Secretary Mr C.C. Grames communicated to the House that he had approved and Signed the following Acts.

"An Act to Establish and organize a Court of Common Pleas and of Oyer and Terminer in the Town of Apalachicola":

"An Act to provide for the holding of Superior Courts in the County of Washington"

"An Act to amend an Act to regulate criminal proceedings":

An Act to amend an Act relating to Crimes and Misdemeanors, committed by Slaves, free Negroes, and Mulattoes

"An Act Concerning the Hireing of Slaves"; and

"An Act to provide for the appointments of Pilots for the St. Johns and Nassau Rivers, in the Territory of Florida and for other purposes".

And that he had rejected the following Acts with the reasons therefor in the accompaning Message.

"An Act for the relief of Susan Martino," and

"An Act for the relief of Ellen Foster."

Executive office
Feby: 7th. 1831.

To the President of the Legislative Council

Sir

I have been compelled by a conviction of the Justice and propriety of the measure, to request the Act for the re-

relief of Susan Martino, and the Act for the relief of Ellen Foster, so long as the laws of the Territory, provide for the most simple redress in such cases of divorce. The Executive feels it his duty to leave the parties to abide the adjudication of our Courts.

I am respectfully
Your obt Servant
Wm P. Duval

These two acts were reconsidered and passed by the requisite majority; Messrs. Allen, Booth, Broadnax, Byrd, Drake, Dell, Fitzpatrick, Gautier, Hodges, Warren and Wright, voting in the affirmative; and Mr President with Messrs. Bradford, Dunlap, and Sanchez voting in the negative.

Mr Allen from the Select committee to whom had been refered the consideration of a Bill to be entitled, an Act to provide for the Election of the county Seat of Jackson County made the following report which was read and laid on the Table:

The committee to whom was refered the Bill to provide for the Election of the County Seat of Jackson County. beg leave to report that they have had the same under consideration. that they are informed that Marianna is at the head of boat navigation on the Chipola river, that it is within one or two miles of the Centre of the County of Jackson and is a healthy place. They further find that no petition has come from the people of said County in favour of any act or measure as the Bill proposes.

Under such circumstances they can perceive no necessity for legislating on the subject. Your committee further state that they find the delegation from the County. divided as to the expediency of passing any such Act. that they would be unwilling to pass any local Law without the consent of all the representatives of the districts on which it would operate under such circumstances, they would always deem it more proper that unless some urgent necessity were shewn to the Contrary, things should be permitted to remain as they are, They therefor return the Bill to the House and recommend that it be rejected and the House discharged from the further Consideration of the subject.

The ayes and noes were taken and Mr President, with Messrs. Allen Broadnax, Dell, Dunlap, Fitzpatrick, Hodges, Warren and Wright, voted in the affirmative, and Mr Bradford, Booth, Byrd, Drake, Gautier, Jones and Sanchez in the negative.

The Bill to be entitled, An Act establishing a ferry over Black Creek in Duval County, was read a second time and ordered to be engrossed and read a third time to-Morrow.

The Bill to be entitled, an act to incorporate the Planters and Citizens canal Company in the east end District of Florida was read a second time and committed to a committee of the whole:

Mr Fitzpatrick from that Committee, reported the same with amendments which report was recieved, and the Bill as amended, ordered to be engrossed and read a third time to-Morrow.

Mr Gautier from the committee of the whole, to whom had been refered, The Bill to be entitled, An Act to Extend the Jurisdiction of Justices of the Peace to all sums under, One Hundred dollars and to withdraw such jurisdiction from-

from the county Courts reported the same with the following among other amendments:

"Provided that justices of the peace shall not have or entertain jurisdiction in actions of where the amount in controversy exceeds twenty dollars"

Which report was agreed to. Mr Allen then moved to strike out the foregoing amendments and Messrs Allen, Broadnax, Dunlap, Fitzpatrick, Jones, Sanchez, and Warren voted in the affirmative, and Mr President with Messrs, Booth Bradford, Byrd, Dell, Drake, Gautier, Hodges and Wright in the negative and the Motion was lost.

And the Bill as amended ordered to be engrossed and read a third time to-Morrow.

The engrossed Bill to be entitled, an Act Concerning patrols, was read a third time and passed

The engrossed Bill to be entitled, an act to amend an act to incorporate the town of Quincy was read a third time and passed. after its passage Mr Jones called for the Ayes and Noes, and Mr President with Messrs. Booth, Bradford Dell, Drake, Dunlap, Fitzpatrick, Gautier, Hodges Sanchez and Wright voted in the affirmative - and Messrs Allen and Jones in the negative.

The engrossed Bill to be entitled an Act Concerning Pilots at Apalachicola was read a third time and passed.

The engrossed Bill to be entitled, An Act, to amend an act legulating the Mode of proceeding on Attachments was read a third time and passed.

The Bill to be entitled, an Act to amend an Act Concerning the appointment of Auctioneers, was read a third time and passed.

Mr Allen from the Committee of the Whole to whom had been refered the Bill to be entitled an Act More fully to prescribe the duties of Auditor and Treasurer of the Territory of Florida, reported progress and asked and obtained leave to sit again.

Mr Wright from the committee of the Whole to whom had been refered the Bill, after its second reading, to be entitled an act to incorporate the North American Salt Company, reported the same with the enacting clause and the first section stricken out, on the question of agreeing to this report. Mr Gautier called for the ayes and noes. and Mr President with Messrs. Allen. Booth. Broadnax. Bradford, Dell. Drake. Dunlap. and Fitzpatrick voted in the affirmative and Messrs Gautier. Hodges. Sanchez and Wright in the negative, and the report was concurred in and the Bill lost.

The President presented several communications from the secretary of the Territory: one, accompanied by certain documents in relation to the Act. Divorcing Mary Carter from her husband William Carter, called for by a resolution of a former day: And another in relation of a claim of the District Attorney for the Middle District of Florida for advice given the secretary whilst acting as Governor. The first was refered to the Committee on the Judiciary and the Second laid on the Table

The House then adjourned until tomorrow 9. O'clock.

Tuesday 8th of Feby. 1831.

The House met pursuant to adjournment and a quorum being present the minutes of yesterday were read.

Mr Gautier gave notice that he would hereafter introduce a Bill to declare Spring Creek the head of which is commonly known as Robinsons Spring a Navigable stream.

Mr Branford gave notice that he would, on to Morrow ask permission to introduce a Bill to be entitled, An Act to incorporate the Trustees of Leon County Academy.

Mr Dunlap introduced a Bill to be entitled, an Act, regulating the distribution of the Laws of this Territory. which was read for the first time.

Mr Allen asked and obtained permission to introduce the following Bills which were read for the first time:

A Bill to be entitled, An act to amend the laws relating to crimes and misdemeanors; and a Bill to be entitled, an act to amend the law relating to conveyences and proceedings in Chancery".

Mr Braddock introduced a bill to be entitled, An Act to incorporate the City of Fernandina which was read for the first time.

Mr Branford introduced a Bill to be entitled An Act to define the Northern and Eastern boundary boundary line of Leon County which was read for the first time.

Mr Gautier introduced a Bill to be entitled An Act to amend the the several Acts incorporating the towns of Marianna and Webbville in Jackson County, which was read for the first time.

Mr Booth asked and obtained leave to introduce a Bill to be entitled An Act to provide for the appointment of a Clerk to the Executive Office &c which was read for the first time.

Mr Brown introduced a Bill to be entitled an act, to provide for issuing writs of certiorari which was read for the first time.

Mr Wright asked and obtained leave, to introduce a Bill to be entitled, An Act to Amend the Act to organize the Militia of the Territory of Florida, which was read for the first time.

Mr Gautier asked and obtained leave to introduce a Bill to be entitled An Act Concerning the County cost of Jackson County which was read for the first time

Mr. Hodges offered the following Preamble and resolution which was read and adopted:

Whereas the wishes and interests of the People of Florida call for the attention by Congress of the Organic law of this Territory, and the allowance of additional members to this House; so that the People of every County may be properly and fully represented, and also for the creation of a Senate to be composed of Eight Members, and whereas such privileges have been granted to the People of other Territories:

Be it therefore Resolved, By the Governor and Legislative Council that the delegate in Congress from this Territory be requested to apply for such modification of the Organic Law and that a copy of this resolution

be forwarded to him, by the Secretary of the Territory and that a Copy be also forwarded to the President of the United States.
Mr Allen offered the resolution following which was read and received:
Resolved, That the committee appointed to contract for the printing of the Laws be instructed to contract for the printing of such laws and treaties of the United States, in relation to Florida, not printed under the Authority of this Territory with the laws now in force, as the said committee may deem proper.
Mr Allen offered the preamble and resolutions following, which was read and laid on the Table:
Whereas the People should at all times be informed of the proceedings of their representatives and have the same submitted to their supervision.
Resolved that the committee appointed to contract for the printing of the Laws be instructed further to contract for the printing in pamphlet form, the Journal of the proceedings of the Present Session of the Legislative Council.
The Preamble and resolutions offered by Mr Anchey on Friday last, relative to land claims, was called up, read, amended and adopted.
The communication and accompanying papers presented on yesterday by the President, and transmitted to the House by the Secretary of the Territory, were taken up, read, and ordered to be laid on the Table, until the 4th day of July next.
The President presented a communication from Samuel Crosby, relating to a ferry across the Wakulla River, at or near Fort St Marks which was read and laid on the Table.
Mr Duncan from the committee on the Judiciary made the following report:
That the committee had had under consideration the resolution to them refered which proposed to give fixed salaries to certain officers therein named instead of the fees, now allowed them by the Laws, and pray to be discharged from the further consideration of the subject: which report was concured in:
Also that the committee had taken into consideration the Presentments made by the Grand Jurors of Alachua County, and St Johns County, which had been committed to them, and prayed to be discharged from the further Consideration of the subject which report was concured in.
Mr Dell from the committee on enrolled Bills reported the following Act correctly enrolled:
"An Act to incorporate the Jackson Spring in Hamilton County;"
"An Act concerning the Literary fund"; and
"An Act concerning the town of Key West."
Mr Gautier from the select committee to whom had been re-committed the vouchers accompanying the petition of L.M. Stone reported by a bill to be entitled, An Act for the relief of L.M. Stone, which was read for the first time.
Mr Byrd from the select committee to whom had been refered the memorial of the City Authorities of Magnolia, reported by a bill to be entitled, an Act to amend an Act entitled an Act to amend an Act to incorporate the town of Magnolia which was read for the first time.

The report made on monday last. by Mr Allen from the Select Committee to whom had been referred the Bill to be entitled, An Act to provide for the Election of a County Seat of Jackson County and who had recommended to the House, that the said Bill should be rejected was called up and read, on the question will the House concur in the report of the Committee = Mr Gamble called for the Ayes and Noes. And Mr President with Messrs Allen. Branch, Dell, Dunlap. Fitzpatrick. Hodges. Warren and Wright, Voted in the affirmative, and Messrs Bradford, Booth, Byrd, Drake Gamble, Jones and Sanchez in the negative, and the report concurred in, and the Bill rejected.

Mr Dell submitted the following report which was read and agreed to:

The Select committee which was instructed by a resolution of this House to receive proposals and contracts for the printing of the laws of the present Legislative Council have proceeded to perform that duty and have the honours to report. That they have contracted with Messrs Gibson and Smith: to print 750 copies of the laws, at $2 per page; the pages and print. to be of the same size of the Acts of Congress of 1830, in accordance with the resolution of this House.

The Bill to be entitled, an Act for the relief of the Church Wardens of Christ-Church in the city of Pensacola, was read a second time and ordered to be engrossed and read a third time to-Morrow

The Bill to be entitled, An Act relative to Executors and Administrators was read a second time and committed to a Committee of the whole:

Mr Jones from that Committee reported the same with amendments which report was received and the Bill ordered to be engrossed and read a third time on to-Morrow

The Bill to be entitled an Act to amend an Act entitled an Act concerning the Election of Members to the Legislative Council, was read a second time and committed to a Committee of the whole:

Mr Warren from that Committee reported the Bill with Amendments - which report was concurred in and the same Ordered to be engrossed and read a third time to-Morrow.

The Act to incorporate the Bank of Apalachicola which had been returned to this House by the Governor rejected and Ordered to be re-considered was committed to a committee of the whole:

Mr Drake from that Committee reported the same with amendments, which report was received - And the Act was then put upon it final passage and passed.

The Act to incorporate the Company to be entitled The Leon Railway Company which had been rejected by the Governor, was reconsidered and committed to a committee of the whole, Mr Warren from that committee reported the same with amendments and the report was concurred in - Ordered that the further consideration thereof be postponed until to-Morrow.

The engrossed Bill to be entitled "An Act to incorporate the Pensacola and Escambia Canal Company in the Eastern District of Florida" was read a third time and passed.

The Engrossed Bill to be entitled, "An Act Establishing a ferry over Black-Creek in Duval County, was read a third time and passed,

The Engrossed Bill to be entitled an Act to Extend the Jurisdiction of Justices of the Peace to cases where the sums under one hundred dollars and to withdraw such

jurisdiction from the county courts, was read a third time on it passage the Ayes and Noes were taken And Mr President with Messrs Allen, Broddock Byrd, Fitzpatrick, Jones, Sanchez, Warren and Wright, Voted in the Affirmative, And Messrs, Booth, Bradford, Dell, Drakes, Duncans, Gautier, and Hodges in the negative and the Bill passed, On Motion the House had a recess until, fourth o'clock in the Afternoon.

The House Met pursuant to it adjournment. and a quorum being present proceeded to business.

Mr Allen from the committee of the whole, to whom had been refered the Bill to be entitled, An Act more fully to prescribe the duties of Auditor and Treasurer of the Territory of Florida, reported, as progress a substitute and asked and obtained leave to sit again.

The further consideration of the Bill to be entitled, "An Act Concerning Banks" was postponed until the 4th day of July next.

The Bill to be entitled "an Act to impose a tax on Hawkers and Pedlers was read a second time and committed to a committee of the whole.

Mr Broddock from that committee reported progress and asked and obtained leave to sit again.

The Bill to be entitled "An Act Concerning witnesses and the mode of Claiming their attendance, was read a second time and Committed to a Committee of the whole.

Mr Byrd from that Committee, reported progress and asked and obtained leave to sit again.

The reports could be the Committee on the Judiciary, on a former day and laid on the Table, in relation to the Bill to be Entitled, An Act to secure to Persons the right to pay money for improvements made on public Lands" was called up and on the question of concurring in the report of the Committee. Mr Broddock called for the Ayes and Noes, and Mr President with Messrs. Allen, Broddock, Byrd, Drake, Duncan, Fitzpatrick, Gautier, Hodges, Sanchez, Warren, Wright, Voted in the Affirmative; and Messrs Booth, Bradford, Dell, and Eaves in the Negative. And the report was concured in and the Bill rejected,

The House then Adjourned until to Morrow. 9 o'clock.

Wednesday 9th Feby. 1831.

The House met pursuant to adjournment and a quorum being present the minutes of the preceding day were read.

Mr Bradford introduced a bill to be entitled, "An Act to incorporate the Trustees of Leon Academy - which was read for the first time.

Mr Dell introduced a Bill to be entitled, "An Act - amending the several Acts concerning roads and Highways and Ferries, which was read for the first time.

Mr Byrd asked and obtained leave to introduce the Bills following which were read for the first time:

An Act authorizing Hector W. Bowlen - to make a Canal through the Natural Bridge of the St Marks River. and
An Act to incorporate a Company to be entitled the St Marks Navigation Company.
Mr Dell presented a petition from Judith Crim praying for a divorce, which was read, and referred to a Select Committee. Messrs, Dell, Drake and Warren were appointed that Committee.
The resolution following offered by Mr Bradford was read and adopted:
Resolved, that the committee on Finance be instructed they are hereby requested to enquire and report, whether any Taxes have been paid, on the Lands in this Territory, belonging to the Chief and Friends Welaw.
The resolution following offered by Mr Hyatt was read and laid on the Table.
Resolved, that the Sum of Fifty dollars be and the same is hereby appropriated to be disposed of by and under the control of the Chief Clerk, in the purchase of a Case, to hold the Laws, Stationary, &c. of the Legislative Council, and a Desk for the use of the Council, and that the same remain always in the Custody of the Clerk of the Legislative Council.
The resolution following offered by Mr Dell, considered and Adopted:
Resolved, that the Committee to whom the Report of the Treasurer was referred be instructed to ascertain the Amount of Treasury Scrip, redeemed and now in the Treasurers possession, - and burn or otherwise destroy the same and report to this House the Amount.
Mr Dell from the committee on enrolled Bills reported that the following Acts as Correctly Enrolled:
"An Act Concerning Labels"
"An Act to amend an Act Concerning the appointment of Auctioneers"
"An Act to incorporate the towns of Monticello in Jefferson County"
"An Act Concerning Plots of Apalachicola" and
An Act to provide for the building of a Jail at Key West."
The Act to incorporate a Company Entitled, The Leon Rail Road Company was taken up and Considered: Mr Bradford proposed to add to it the following additional Section: That two per Cent on the Amount of the Net Profits shall be paid by the said Company Annually into the Treasury of this Territory to be applied exclusively to establishing and supporting Common Schools in this Territory for the Education of Poor Children. - On this Messrs. Bradford, Gratiot and Jones, voted in the Affirmative and Mr President with Messrs. Allen, Booth, Braddock, Byrd, Dell, Drake, Dunlap, Fitzpatrick Hodges, Sanchez, Warren and Wright, in the Negative and the Same was rejected.
The Act was then put on its final passage, and Mr President with Messrs. Allen, Booth, Braddock, Byrd, Dell, Drake, Dunlap, Gratiot, Hodges, Sanchez, Warren and Wright, voted in the Affirmative, and Messrs, Bradford, Fitzpatrick and Jones, in the Negative, and the same passed.
The Bill to be entitled, an Act to amend an Act entitled, an Act to amend an Act, to incorporate the Town of Magnolia was read second time. The rules of the House were then waved and the same read a third time and passed.
The Bill to be entitled, An Act to amend the several Acts, incorporating the towns of Marianna and Webbville in Jackson County was read a Second time. The rules of the House were then waved and the same read a third time and passed,
The Bill to be entitled an Act to provide for issuing units of Certificates

was read a second time and ordered to be engrossed and read a third time to-Morrow.
The Bill to be entitled an Act to amend the Act to Organise and regulate the Militia of the Territory of Florida was read a second time, and ordered to be engrossed and read a third time to-Morrow.
The Bill to be entitled, An Act Concerning the County Seat of Jackson County was read a second time and committed to the Committee of the whole.
Mr Drake from that Committee reported the same with amendments. which report was concured in and the same ordered to be engrossed and read a third time to-Morrow.
The Bill to be entitled, an Act to provide for building a Jail in the City of Pensacola, was read a second time and ordered to be engrossed and read a third time to-Morrow.
The Bill to be entitled an Act to establish a ferry over the Suwanee River was read a second time and ordered to be engrossed and read a third time to-Morrow
The Bill to be entitled, an Act to Amend the several Acts passed to incorporate the Bank of West Florida, was read a second time and committed to a Committee of the whole.
Mr Warren from that Committee reported the same as amended, which report was concured in And the Bill as amended, ordered to be engrossed and read a third time to-Morrow.
The Bill to be entitled, an Act to incorporate the Trustees of the Pensacola Academy, was read a second time and ordered to be engrossed and read a third time to-Morrow.
The Bill to be entitled an Act to Amend an Act, to raise a revenue for the Territory of Florida was read a second time and committed to a Committee of the whole: Mr Allen from that Committee, reported the same with amendments which report was concured in and the Bill as amended ordered to be engrossed and read a third time to-Morrow.
Mr Byrd from the committee of the whole to whom had been refered, the Bill to be entitled an Act Concerning Witnesses, and the mode of Claiming their attendance, reported the same with Amendments. which report was concured in.
Mr Allen then moved to strike out the fifth Section of said Bill which is in these words:
"If any person so summoned and attending in any of the Causes above mentioned, shall refuse to give evidence on oath or affirmation, as the Case may be, to the best of his or her Knowledge, every Person so refusing may be committed to Prison by the Court, before which such witness is summoned there to remain without bail or Mainprize, until he or She shall give such Evidence"
On this the Ayes and Noes were Called for, by Mr Allen. And Messrs Allen Bradford, Jones and Sanchez, voted in the affirmative; And Mr President with Messrs. Booth, Braddock, Byrd, Dell, Drake, Dunlap, Fitzpatrick Gautier, Hodges and Warren in the Negative- And the Motion was lost. And the Bill as Amended, ordered to be engrossed, and read a third time to-Morrow.
Mr Fitzpatrick from the Committee of the Whole, to whom had been refered the Bill to be entitled, an Act to provide for Building a Jail in the Town of Apalachacola, reported the same with Amendments, which report was concured in And the bill as amended, ordered to be engrossed and read a third time to-Morrow.
The Engrossed Bill to be entitled, An Act Concerning the Election of

of members to the Legislative Council was read a third time and passed.
The Bill to be entitled. An Act to incorporate the City of Fernandina was read a second time and ordered to be engrossed and read a third time on to-Morrow.
The engrossed Bill to be entitled, an Act relative to Executors and administrators was read a third time and passed.
Mr Doll from the Committee of the whole to whom had been referred the Bill to be entitled an Act to impose a tax on Hawkers and Peddlers in this Territory reported the same with Amendments which report was concured in and the Bill as Amended, Ordered to be engrossed and read a third time to-Morrow.
The Bill to be entitled, an Act to establish a ferry across the Wakulla River at or near Fort. St Marks. was read a second time and committed to a committee of the whole. Mr Jones from that Committee reported the same with the enacting clause stricken out, which report was concured in, Mr Byrd then Moved to reconsider the Vote on agreeing to the report of the Committee and asked and obtained leave to introduce several petitions in relation to the Subject-Matter of the Bill, which were read and the motion for reconsideration carried in the affirmative,
The further Consideration thereof was postponed until to-Morrow.
The Bill to be entitled An Act to provide for the Appointment of Clerks to the Executive Office was read a second time, it was then moved to strike out the Enacting Clause on Carried. the Mr. President with Messrs. Allen Braddock. Bradford, Byrd. Dell, Drake, Dunlap. Fitzpatrick, and Sanchez voting in the affirmative. And Messrs Booth. Gautier, Jones. Warren and Wright in the Negative.
The Bill to be entitled an Act regulating the distribution of the laws of this Territory, was read a second time, and passed to its third reading.
The Bill to be entitled, An Act. to define the northern and Eastern boundary lines of Leon County was read and passed to its third reading
The Bill entitled an Act to Amend the laws relating to crimes and Misdemeanors. was read a second time.- it was then Moved to strike out the enacting Clause- which prevailed and the Bill was lost.
The Bill, to be entitled, an Act regulating the Rate of Interest in the Territory of Florida, was read a second time, and Committed to a Committee of the whole:
Mr Fitzpatrick from that Committee reported the same with the enacting Clause stricken out, which report was concured in. Mr President with Messrs. Braddock, Bradford, Byrd, Dell. Drake. Fitzpatrick, Gautier Hodges and Warren, voting in the Affirmative. And Messrs. Allen, Booth, Dunlap, Jones, Sanchez, and Wright. in the negative and the Bill was lost
The Bill to be entitled, the Act to amend the Acts, for summoning Jurors &c was read a second time, and committed to a Committee of the whole:
Mr Fitzpatrick reported the Bill with all but the enacting clause and title stricken out, which report was concured in. Mr President and Messrs. Allen, Booth, Braddock, Dell, Drake, Dunlap, Fitzpatrick and Warren voting in the affirmative, And Messrs Bradford. Byrd. Hodges, Jones Sanchez and Wright in the Negative. Mr Sanchez then moved to lay the Bill on the Table. until the 4th day of July next. which Motion prevailed, Mr

Mr President with Messrs. Allen, Booth, Broadnax. Doll, Drake, Dunlap, Fitzpatrick and Warren voting in the affirmative, and Messrs Bradford, Byrd, Hodges, Jones. Sanchez and Wright in the Negative.
The Bill to be entitled an Act to Amend, an Act. to Constitute a board of Trustees for Fort St Marks was read and passed to a third reading.
The Engrossed Bill to be Entitled, An Act for the relief of the Church Wardens of Christ Church in the City of Pensacola was read a third time and rejected.
The Bill to be entitled an Act. for the relief of L.M. Stone was read a second time and passed to a third reading.

The House then Adjourned until to-morrow 10. Oclock.

Thursday 10th Feby. 1831.

The House met pursuant to adjournment and a quorum being present, the Minutes of the preceding day were read,
Mr Jones gave notice that he would on to-morrow introduce a Bill respecting to the securities of Constables,
Mr Gautier introduced a Bill to be entitled, An Act to declare Spring Brook, Commonly known as Robinsons, Spring Creek, in Jacks on County a Navigable Stream, which was read for the first time,
Mr Sanchez introduced a Bill, to be entitled an Act to Amend an Act entitled, an Act to organise and regulate, the Militia of this Territory, which was read for the first time and laid on the Table.
Mr Doll asked and obtained leave, to introduce a Bill to be entitled, an Act to establish a ferry across the Suwanee River, which was read for the first time.
Mr Booth asked and obtained leave to introduce a Bill to be entitled An Act. to raise a revenue for the Territory of Florida which was read for the first time.
The Resolution offered by Mr Allen on a former day providing for the Publication of the Journals, was called up read and rejected.
Mr Allen asked and obtained leave to introduce a Bill to be entitled, An Act concerning writs of error which was read for the first time,
Mr Booth from the committee on County boundaries to whom had been refered the petition of many Citizens of Duval and Nassau Counties reported by a Bill to be entitled, An Act to Extend the Boundary lines of Duval and St Johns Counties which was read for the first time,
Mr Dunlap from the committee on the Judiciary, to whom had been refered the Bill, to be entitled, An Act. to amend an Act entitled, an Act to establish County Courts, and prescribe their Jurisdiction, reported that it was, in the opinion of that Committee inexpedient to enact the same which report was concurred in.
The same Gentleman from the same Committee made the following report:
That the committee had taken into consideration the Memorial of William-

Carter and reported:
That it appeared by the Journals of the Legislative Council of the year 1838 that a petition was presented by Mary Carter praying the passage of the Act, which is the subject matter of the petitioners complaint; that the petition was refered to one of the Standing committees of the House, and the Act regularly reported and passed by the Council.

These facts would under almost any circumstances preclude an enquiry into the grounds on which the Act in question was passed, and, in the absence of all other evidence the Committee have no other alternative, but to ask to be discharged from the further consideration of the subject. which report was received.

Mr Drake from the Committee on Finance made the following report:

That it was inexpedient to pass the Bill to Amend an Act to raise a revenue for the Territory of Florida, and hasten to be discharged from the further consideration of the subject,- which report was concured in.

Also that the same committee to whom had been refered the Proposal of John Baldwin relative to the binding of the Laws of the Territory, beg leave to report, that in the Opinion of the Committee, the investigation of the subject properly belongs to the Committee on printing, And recommend that the same be refered to that Committee. which was concured in.

Also that the same committee, to whom had been refered the Memorial of the Grand Jurors of the County of Gadsden, beg leave to report, that in the Opinion of said Committee, the measure offers no good reason for the Legislative interferance of this House, And that they therefore pray to be discharged from the further consideration of the subject. which report was concured in.

Mr Dell from the committee on enrolled Bills reported the following Acts as correctly enrolled:

"An Act to extend the laws over the Indians within the Territory of Florida";
"An Act to incorporate the citizens and Planters canal Company in the eastern District of Florida";
"An Act to amend the several Act incorporating the Towns of Webville and Marianna";
"An Act to Amend an Act entitled, An Act Concerning the election of Members to the Legislative Council";
"An Act to to incorporate a Company to be entitled, The Leon Rail Way company";
"An Act Act establishing a ferry over Black Creek in Duval County";
"An Act to extend the jurisdiction of Justices of the Peace to all sums under one hundred dollars and to withdraw such jurisdiction from the County Courts";
"An Act to amend an Act, entitled, An Act to incorporate the town of Quincy Approved November 21th 1828;"
"An Act to incorporate the Bank of Apalachacola;" And
"An Act to Amend an Act regulating the mode of proceeding on Attachments.

Mr Drake from the select Committee to whom had been refered the resolution concerning the removal of the seat of Government made the following report, which was received.

The committee whose duty it was made by a resolution of the Council to enquire into and report upon the expediency of removing the seat of Government from Tallahassee, have the honour to submit the following report.

The committee have diligently, made the enquiry required by the resolution, and have come to the conclusion that, it is highly expedient and Necessary in order to

promote the present and future interest of the Territory, that the seat of Government should be removed from Tallahassee, as soon as proper measures can be taken to ensure a selection of the most eligible site for its location.

The reasons which have induced the Committee to come to this conclusion are various; a few of which they will briefly mention. First the munificent donation from the General Government to the Territory for the purpose of erecting its publick buildings, has as it appears by report to this House, been, through mismanagement, fraud or in some other manner which your Committee cannot understand almost entirely lost to the Territory, A fund sufficient to have completed a splendid edifice large enough for the accomodation of the Representatives of the Territory for a hundred years, has been expended or lost, in what manner your Committee will not undertake to say - but are constrained to come to the conclusion that, so far as it has been expended not the slightest benefit has resulted therefrom to the Territory.

A small building now in a dilapidated condition which the Council have been compelled to occupy, as being unsafe, is all which the Territory has saved from the large amount of money advanced.

Your Committee are therefore compelled to consider the Territory, as in a worse condition than when Tallahassee was fixed upon as the seat of Government and that, if it is now at the present time they entertain no doubt. Removed as it is from the Sea Coast, distant from any navigable stream, not a central situation but located in the narrowest part of the Territory having in points of healthfulness no advantage over many other places, it is not easy for the Committee to imagine why it should be retained as the seat of Government.

From information received by the committee they are of the opinion that building materials of a quality sufficiently good for the erection of a permanent and respectable capitol cannot be obtained at Tallahassee but would have to be brought from a distance at an immence expence, One fact in support of this opinion, is that the present building constructed of Brick made in this vicinity, has in the short space of half a dozen years, fallen into ruins and might now be considered as a nuisance in any respectable village,

The committee are also of the opinion that the present location is nearer the dividing line between Georgia and Florida than good policy would warrant,

Should the State of Georgia eventually succeed in establishing her claim to a portion of our Territory, our seat of government would be found near to, or probably within her limits. That this will ever be the case the Committee do not believe, but as it is a contest between the United States and Georgia in which Florida can have no voice, sound policy would dictate, that she should be prepared to meet without inconvenience any decission which may be made.

If the seat of Government is ever to be changed, it is confidently believed that this is the proper time for its accomplishment.-

Speedy measures should be taken for the Erection of a building for the accommodation of the Council - but shall a second effort be made in Tallahassee we have to much cause to fear that it would result as did the first. The committee have avoided any expression of opinion as to what place would be most suitable, They are not in possession of the necessary information to form such opinion as to what place would be most suitable, and would be unwilling to act to act on a matter of so much importance without due deliberation, The best plan which the Committee could devise for its accomplishment is contained in the Bill herewith reported. All which is respectfully submitted,

Dmtee / Chairman)

The Bill is to be entitled, An Act to provide for the permanent location of the Seat of Government in the Territory of Florida which was read for the first time.
Mr Bradford moved to lay the report and Bill on the Table until the 15 day of January next. which was rejected,
The engrossed Bill to be entitled, An Act to provide for the erection of a Jail at Pensacola, was read a third time and rejected, Messrs Booth, Drake, Fitzpatrick Hodges, Jones, and Wright, voting for it; and Mr President, with Messrs. Bradford Braddock, Byrd, Dell, Dunlap, Gautier and Warren, against it,
The engrossed Bill, to be entitled, An Act to provide for building a Jail at Tallahassee, was read a third time and rejected, Messrs, Booth, Braddock, Drake Fitzpatrick, Jones, Sanchez, Warren and Wright, voting in the Affirmative, and Mr President with, Messrs Allen, Bradford, Byrd, Dell, Dunlap, Gautier and Hodges against it—
The engrossed Bill, to be entitled An Act to amend an act to incorporate a seminary for the Territory of Florida was read a third time and rejected, Messrs. Booth, Gautier Hodges, Jones, and Warren voting in the affirmative, and Mr President with Messrs Allen, Braddock, Bradford, Byrd, Dell, Drake, Dunlap, Fitzpatrick, Sanchez and Wright in the negative,
The engrossed Bill to be entitled, An act to impose a tax on Hawkers and pedlers in this Territory was read a third time and passed, Mr President with Messrs, Booth, Braddock, Drake, Dunlap, Fitzpatrick, Gautier, Jones, Sanchez Warren and Wright, voting in the affirmative, and Messrs Allen, Bradford, Byrd and Hodges in the negative.
The engrossed Bill to be entitled an Act to incorporate the Trustees of the Pensacola Academy was read a third time and passed,
The engrossed Bill to be entitled an act concerning the County Seat of Jackson County was read a third time and passed,
The engrossed Bill to be entitled an act, concerning witnesses and the mode of claiming their attendance, was read a third time and passed. Mr President with, Messrs. Braddock, Byrd, Dell, Dunlap, Gautier, Hodges, Sanchez Booth, and Drake voting in the affirmative, and Messrs. Allen, Bradford Fitzpatrick, Jones, Warren and Wright, in the negative,
The engrossed Bill to be entitled an act to incorporate the city of Fernandina was read a third time and passed,
The engrossed Bill to be entitled, an act to provide for issuing writs of Certiorari was read a third time and passed,
The engrossed bill to be entitled, an act to establish a ferry over the Suwannee River, was read a third time and passed. Mr President with Messrs Allen, Booth Braddock, Bradford, Byrd, Fitzpatrick, Gautier, Hodges, Jones, Sanchez and Warren, voting in the affirmative, and Messrs. Drake, Dunlap and Wright in the negative,
The engrossed Bill to be entitled an act, to amend an act, to organize and regulate the Militia of the Territory of Florida was read a third time and passed.
The Bill to be entitled an act to amend, an act to constitute a board of Trustees for Fort St Marks was read a third time and passed,
The Bill to be entitled an act, to incorporate the Trustees of Leon Academy, was read a second time. the rules of the House were waved and the same read a third time and passed,
The Bill to be entitled an act regulating the distribution of the Laws of the Territory was read a third time and passed,

The Bill to be entitled, An Act to incorporate, a Company to be entitled, The St, Marks Navigation Company, was read a second time and ordered to be engrossed, and read a third time to Morrow

The Bill to be entitled an Act Amending the several Acts, concerning Roads, Highways and Ferries, was read a second time and Committed to a Committee of the whole:

Mr Booth from that Committee reported progress and asked and obtained leave to sit again.

The Bill to be entitled, an act to amend the law relating to Conveyances and proceedings in Chancery, was read a second time and Committed to a Committee of the whole, Mr Fitzpatrick from that Committee reported progress. and asked and obtained leave to sit again,

Mr Jones from the Committee of the whole to whom had been refered the Bill to Amend an Act Concerning the Appointment and jurisdiction of Justices of the Peace, reported the same with the enacting clause stricken out, which report was concurred in and the Bill rejected,

The Bill to be entitled, an Act to define the Northern and Eastern boundary lines of Leon County was read a third time, it was then moved to strike out the enacting clause, which motion prevailed, the Presidents with Messrs Allen Booth, Dell, Evans, Dunlap, Fitzpatrick, Jones, Warren, and Wright voting in the affirmative and Messrs, Bradford, Byrd, Broadnax, Gratiot and Hodges in the Negative, And the Bill was lost,

The further consideration of the Bill to establish a ferry across the Wakulla River, at or near Fort St Marks, was postponed until the 4th July Next.

The Bill to be entitled an Act to authorize Hector W. Braden to cut a canal through the Natural Bridge of the St Marks River, was read a second time and passed to a third reading.

The Governor by his private Secretary Mr R. C. Gamble informed the Council that he had approved and Signed the following Acts,

"An Act, Concerning Patrols";

"An Act, to Amend an Act, Concerning the Appointment of Auctioneers;"

"An Act for the building of a Jail at Key West;"

"An Act to incorporate the Jackson Spring in Hamilton County";

"An Act, concerning the town of Key West;"

"An Act to Authorize Stephen P. Rouch to establish a ferry across Holmes Creek in Washington County";

"An Act Concerning practitioners of Medicine in this Territory", and

"An Act to incorporate the Town of Monticello in Jefferson County."

And that he had rejected the Act to authorize the personal representatives of Does- J. G. Teague, to dispose of his real Estate for the reasons stated in the accompanying Message,

Executive office Feby 10th 1831

To the President of the Legislative Council

Sir, The act to authorize the personal representatives of Doct J.G. Teague to dispose of his real Estate is only Calculated to produce confusion and litigation hereafter. I do not believe that any act of the Legislature, can invest the infant heirs of his title to the real Estate. The Administrators are not the proper persons to make this application and it is considered by the ablest Jurists, as an assumption of Power for a Legislative Body to attempt to invest even the guardian of an infant with such privilege. I therefore reject the Act,

I am Respectfully Yr obt Servt

Wm P. Duval

And that he had returned for amendment, the following Acts.
"An Act Concerning "Pilots of Apalachicola;" and
An Act Concerning the Literary Fund, with his objections thereto to be found in the accompanying Message;
It was then Ordered that the said Acts be reconsidered.

The House then adjourned until to-morrow 10 Oclock.

Friday 11th Feby 1831.

The House Met pursuant to adjournment, and a quorum being present the minutes of the preceding day were read,
Mr Byrd asked leave to introduce the following Bills viz
A Bill to be entitled an Act to Amend an Act, to incorporate the City of Tallahassee, and
A Bill to be entitled an Act to incorporate the City of Tallahassee. which was refused,
He then gave notice that he would on to-morrow ask leave to introduce those Bills and also a Bill to be entitled an Act to extend the Charter of Tallahassee,
Mr Allen introduced a Bill to be entitled an Act to Amend the Act regulating judicial proceedings, which was read for the first time.
He also asked and obtained leave to introduce a Bill to be entitled, an Act in relation to the revenue of this Territory, which was read for the first time.
A motion was made to postpone a further consideration of the Bill until the 4th day of July Next. and was lost, Messrs. Booth, Braddock, Byrd, Dell, Dunlap, Kilpatrick, Hodges, and Warren, voted in the affirmative and Mr President, with, Messrs, Allen, Bradford, Drake, Gaulter, Jones, Sanchey and Wright in the Negative.
Mr Booth Asked and obtained leave to introduce a Bill to be entitled, an Act to Amend an Act to regulate, the Election of Members to the Legislative Council, which was read for the first time.
The President presented a petition from Mary Carter praying a repeal of the Act divorcing her from her husband William Carter, which was read and refered to the Committee on the Judiciary.
Mr Dell from the Committee on enrolled Bills, reported the following Acts, correctly enrolled,
"An Act Concerning the County Seat of Jackson County."
"An Act to Provide for Issueing Writs of Certiorari."
"An Act to Establish a ferry over the Suwannee River"
"An Act to Amend the Act, to organise and regulate the Militia of Florida."
"An Act to incorporate the Trustees of the "Pensacola Academy.

"An Act. concerning witnesses and the manner of claiming their attendance",
"An Act to incorporate the City of Fernandina"
"An Act to Amend, an Act to constitute a board of Trustees for Fort St Marks.",
"An Act to incorporate the Trustees of Leon Academy"
"An Act to impose tax on Hawkers and Pedlers in this Territory"
"An Act, entitled An Act to amend an Act entitled, an Act to Amend an Act to incorporate the Town of Magnolia" and
"An Act to be entitled, An Act relative to Executors and administrators."

Mr Dunlap, from the Committee on the Judiciary reported the following Bills:

A Bill to be entitled, an Act relating to Judgements and Executions

A Bill to be entitled, an Act regulating the fees of Certain Officers; and

A Bill to be entitled, an Act Concerning Criminals, and to repeal an Act, therein Mentioned,

Mr Jones from the Select Committee to whom had been referred the petition of Zachariah Jerkins reported that it was inexpedient to Legislate upon the subject and prayed to be discharged from the further consideration thereof to which was concured in.

The same gentleman from the Select Committee to whom had been referred the petition of Lorena Rowel reported that the Committee had had the same under consideration and deemed it inexpedient to Legislate upon the subject, and asked to be discharged from the further consideration thereof, which was concured in,

Mr Bradford from the Select Committee to whom had been referred the report of the Commissioners of Tallahassee, reported a Bill to be entitled, an Act to submit to Arbitration, the Matter in Controversy between, the Commissioners of Tallahassee and Messrs Thornton and Willis, which was read for the first time.

Mr Dell from the Select Committee, to whom had been referred the petition of Judith Caird, reported by a Bill to be entitled, an Act for the relief of Judith Caird, formerly Judith Crosby, which was read for the first time,

The Governor informed the Council that he had approved and signed, an Act to incorporate the City of St Augustine;-

And that he had rejected the Act to incorporate the Bank of Apalachicola, which was reconsidered and lost, for want of a requisite majority, Messrs. Booth Braddock, Drake, Fitzpatrick, Jones, Sanchez and Warren, voting in the affirmative. And Mr President with Messrs Allen, Broadfoot, Byrd, Dunlap Gautier, Hodges and Wright, in the negative,

Also that he had rejected the Act to incorporate a Company to be entitled the Leon Rail Way Company, which was re-considered and passed by the requisite majority. Mr President with Messrs. Allen, Booth, Braddock, Byrd Dell, Drake, Dunlap, Gautier, Hodges, Sanchez and Warren voting in the affirmative And Messrs. Bradford, Fitzpatrick and Jones in the Negative.

Also that he had rejected the Act to incorporate the company to be entitled, The Wacissa and Ocilla Navigation Company which was reconsidered and passed by the requisite majority. Mr President with Messrs Allen Booth, Braddock, Byrd

Dunlap, Fitzpatrick, Gautier, Hodges, Jones, Sanchez, and Warren voting in the affirmative, And Messrs, Bradford, Dell, and Drake in the Negative,

Also that he had returned with objections an Act Concerning the Literary Fund which was reconsidered, Amended and passed,

And that he had also, sent back with objections, An Act concerning pilots of Apalachacola which was ordered to be reconsidered and laid on the Table,

The act to authorize the personal Representatives of Doct J. G. Teague to dispose of his real Estate was reconsidered and rejected, Mr President with Messrs Brad-=dock, Dell, Fitzpatrick, Gautier, Jones, Sanchez, and Warren voting in the Affirm-=ative, And Messrs. Allen, Bradford, Byrd, Drake, Dunlap, Hodges and Wright in the Negative,

The following Messages were received, with the Acts rejected and sent back, by the Governor.

Executive Office
Feby. 11th. 1831.

To the Presidents of the Legislative Council

&c

I return the Act to incorporate the Bank of Apalachacola rejected for the reasons herein communicated to the Legislative Council.

I am Sir respectfully
Your Obt Servt
Wm P. Duval.

Executive Office
Tallahassee Feby 11th 1831

Sir

The Amendments made to the Act to incorporate the Leon Rail Way Company do not entirely meet the objections contained in my Message to the Legislative Council on the rejection of the Original Bill; especially in relation to the Interference with the Publick Domain and Dam Constructed. therefore I return the Amended Bill as also Rejected,

Very Respectfully
Your Obt Servt
Wm P. Duval.

Hon A. Bellamy
Pres of L Council

Executive Office
Tallahassee Feby. 11th 1831.

Sir

The sixth section of the Act entitled an "Act to incorporate a Company to be entitled the Wacissa and Bellamy Navigation Company, I regard as contrary to the provisions of the 5th section of the first Organic Law which says "the Governor and Legislative Council shall have no power over the primary disposal of the soil nor to tax the Lands of the United States nor to interfere with the Claims to Lands within said Territory" and I therefore return the same rejected.

I am Sir
Very Respectfully
Your Obt Servt
Wm P. Duval.

The Presidents of the Legislative Council

Executive Office
Feby 11th 1831

To the President of the Legislative Council

Sir

The Act concerning the Literary Fund repeals entirely the Act to incorporate the President and directors of the Literary fund passed 1st Nov. 22d 1829 - And of Course the Application of the fines and forfeitures, as directed by the fifth Section of that Act will be lost to the Literary fund. I suggest that the last Act last Act be so amended as to give all fines and forfeitures, as a Literary fund to be exclusively devoted to Education.

I return also an Act regulating Pilots and Pilotage of Apalachacola. The 2d Section of the Act, empowers the commissioners under certain circumstances to Levy a fine of One hundred Dollars and to collect the same either by Warrant or Execution. It will readily occur to the Council, That such a provision is in violation of the Constitution of the United States - for thereby the intervention of Jury no Sum greater than twenty dollars can be assessed I have returned the Act for Amendment.

I am Respectfully
Yr. Obt. Servt.
Wm. P. Duval.

The further consideration of the Bill to be entitled an Act, to amend an Act, to Organize and regulate the Militia of the Territory, was indefinitely postponed.

The further consideration of the Bill to be entitled an Act Concerning Writs of Error, was indefinitely postponed.

The Bill to be Entitled, an Act to Amend an Act to raise a revenue for the Territory of Florida, was read a second time and on Motion ordered to be laid on the Table until the 4th. July next.

The Bill to be entitled an Act to Extend the Boundary lines of St Johns and Duval Counties, was read a second time and committed to a Committee of the whole: Mr Bradford from that Committee reported the Bill with an Amendment, which report was recived.

The Bill to be entitled. An Act for provide for the permanent location of the seat of Government in the Territory of Florida was read a second time and committed to a Committee of the whole: Mr Allen from that Committee reported the same with Amendment, which report was recieved. It was then moved to insert the name of John Gamble as one of the Commissioners appointed by the Act, which Motion prevailed. Mr President with Messrs, Allen, Booth, Braddock, Bradford, Drake, Fitzpatrick, Gautier, Hodges and Jones, voting in the affirmative, and Messrs. Byrd, Dunlap, Warren and Wright in the Negative. A Motion was made to strike out the name of Townsman Robinson named as one of the Commissioners, which Motion was carried. Mr President with Messrs. Booth, Braddock, Bradford, Byrd, Drake, Dunlap, Fitzpatrick, Hodges, Jones, Sanchez, and Warren voting in the affirmative and Messrs Allen, Dell and Gautier in the negative.

Mr Bradford then moved to strike out so much of the third section as allows the Commissioners each, three dollars per day for their services. - which Motion was lost. Mr President with Messrs. Allen, Bradford, Byrd Sanchez and Warren in the affirmative, and Messrs. Booth, Braddock Drake, Dunlap, Fitzpatrick, Gautier, Hodges, Jones, and Wright in the Negative -

The Bill was then ordered to be engrossed and read a third time, to Morrow.
The engrossed Bill to be entitled, An Act, to incorporate a Company to be entitled the St Marks Navigation Company was read a third time and passed.
A Bill to be entitled, An Act for the relief of L. M. Stone, was read a second time, and on motion the rules of the House were waved, and the Bill read a third time and passed, On its passage the Ayes and Noes were called for, & Mr President with Messrs. Booth, Braddock, Byrd, Drake, Dunlap, Fitzpatrick, Gautier, Hodges, Jones, Sanchez and Wright, voting in the Affirmative and Messrs. Allen, Bradford, Dell, and Wright, in the Negative,
The Bill to be entitled, An Act to Authorize H. W. Braden to cut a canal through the Natural Bridge of the St Marks River, was read a second time and on motion the rules of the House were waved and the Bill read a third time and passed, On its passage the Ayes and Noes were called for, When Mr President with Messrs. Booth, Braddock, Byrd, Dunlap, Fitzpatrick, Gautier, Hodges, Jones, Sanchez and Wright, voted in the Affirmative and Messrs. Allen, Bradford, and Drake, in the Negative.
The Act to Amend the Law relating to Conveyances and Proceedings in Chancery was read a second time and Committed to a Committee of the whole, Mr. Fitzpatrick from the Committee reported said Bill amended, which report was received, and on motion the rules of the House were waived and the Bill read a third time and passed. Ordered that the Title thereof be an Act relating to Injunctions.
The engrossed Bill to be entitled an Act to Amend the several Acts passed incorporating the Bank of West Florida was read a third time and passed. Messrs Allen, Booth, Braddock, Drake, Fitzpatrick, Gautier, Hodges, Jones, Sanchez Murrow and Wright, voting in the Affirmative and Messrs. Bradford, Byrd, Dell, and Dunlap in the Negative,
The Bill to be entitled, An Act to establish a ferry across the Suwanee River was read a second time, The rules of the House were waived and the Bill read a third time and passed, Ordered that the Title be an Act to Authorize J. W. Roberts, to establish a ferry across the Suwanee River.
The Bill to be entitled, An Act to declare Spring Creek commonly known as Robinsons Spring Creek in Jackson County, a navigable Stream had a second reading and was ordered to be engrossed and read a third time to-Morrow.

The House then adjourned until to-Morrow 10. Oclock.

Saturday 12th Febr. 1831.

The House met pursuant to adjournment, and a quorum being present the minutes of yesterday were read.

Mr Booth presented a petition from Thomas Brown and Isaac W. Mitchell, former members of this House from Leon County, praying a repeal of the Law altering the Boundary lines between Leon and Jefferson Counties, which was read

Mr Gautier offered the Preamble and resolution following which were read and laid on the Table:

Whereas the Subject of General Education is one of high and vital importance to the people of this Territory and deserves the especial attention of those who have the enactment of laws for their welfare - And whereas the National Government in furtherance of the important objects of affording the means of acquiring knowledge equally to all the people of Florida, have reserved for the use of the inhabitants of each Township the 16th Section of Land, and Whereas by reason of the peculiar character of the Lands in this Territory, in their unequal fertility, the donation in many Townships has been rendered entirely valueless - and as Publick munificence should be bestowed as publick Exactions are levied, equally upon all. Be it therefore Resolved, That our Delegate in Congress be and he is hereby requested to procure the passage of a Law, authorizing the Appointment by the Legislative Council, of nine commissioners, three for East Florida, three for Middle Florida, and three for West Florida, who upon the application of the inhabitants of any Township in their respective Districts, shall Examine the 16th Section thereof, and if the same shall not be considered of the value of $1\frac{25}{100}$ per Acre that said commissioners may locate for such Townships any other Section of land in said District for the purposes originally intended.

Mr Drake, from the committee on Finance made the following report which was read and received: And a Bill to be entitled an Act to determine the compensation of the officers of the Legislative Council & for other purposes, which had a first reading.

The committee on Finance to whom was referred the respective reports of the Auditor and Treasurer of the Territory; And to whom was also referred the resolution of the Council requiring the committee, "to present to the Council a concise Statement of the Finances of the Territory, shewing the amount of the Accounts that have been Audited and unpaid and the amount of the Debts due the Territory, and the probability of the payment of such debts;" And to whom was also referred the resolution requiring the committee to ascertain the amount of Treasury notes which had been redeemed, and redeemed in his possession, and to burn, or otherwise to destroy the same;" and also to whom was referred the resolution instructing the committee "to enquire and report whether any Taxes had been paid on the Lands of the Deaf and Dumb Asylum" have the Honour to submit the following report:

The committee have with diligence and much labour compared the report of the aforesaid officers with their books and Vouchers, and so far as they have been enabled to understand find that they agree. They have certified on each voucher the fact of it having been examined by them.

The committee are unable to present any more satisfactory statement of the Finances of the Territory than that contained in the Treasurers report.

The committee have no source of information but the Books and vouchers from which the report was made, and if they were found to agree nothing more than a statement of this fact could be expected from them;

The latter part of the resolution requiring the committee to report as to the probability of the payment of the Debts due by the Territory is considered by the committee as requiring them to perform a difficult task and one which if discharged with whatever Zeal and ability would lead to no practical result.

The amount of the revenue of each year is difficult and it is believed to be impossible to ascertain with any degree of certainty what it will be during the present year. In some of the counties of the Territory no taxes have been collected, as appears by the reports and Books of the Treasurer, in others a much smaller amount than ought have been and was collected.

The Amount of the revenue arising from fines is altogether uncertain. The Clerks of Court in many Counties have wholly failed to discharge their duty, by reporting to the Treasurer what fines had been imposed in their respective Counties, And the returns of some which have reported, are Wholly unsatisfactory. The returns show that many fines have been imposed which have not been paid over by the Marshals. Whether or not they were ever collected cannot be ascertained by the Committee, but accounts should have been opened with the Marshals, and they held responsible for all fines imposed in their respective districts, And should not have been discharged from the same unless by shewing that execution had issued and no Money could be made thereon.

"By Law the Treasurer is required to proceed against all Clerks and Marshals who shall be in default, but to what extent it has been complied with the Committee are not informed.

The Amount of debts owed by the Territory, cannot be ascertained with any degree of certainty. Owing to the fact that there is no money in the Treasury And many persons it is believed who have just claims have failed to present them. The report of the Auditor furnishes the only accurate information upon that subject. The Amount so far as it can be ascertained is as follows.

Amount of Treasury Bills issued in 1829 =	6543. 56¼
Amount destroyed by Committee 8th Nov. 1829 =	2586. 12½
Balance in Circulation at this time. =	3956. 93¾
Amount of Bills Issued in 1830. =	7660. 00
Total Amount. =	11616. 93¾
Amount in Treasurers office Ordered to be burnt. =	6044. 01¼
Ballance in Circulation. =	$5572. 92½

The resolution requiring the committee to report whether the lands belonging to the deaf and dumb Asylum had paid taxes cannot be answered with certainty.

The Books of the Treasurer shew the amount of Taxes received from

each county but do not shew in what manner raised. The only means of obtaining the information, would be on enquiry of the Tax Collector. The Committee Consider it impolitic to make any general Change in the existing revenue laws.

If the present taxes are diligently collected and faithfully disbursed they will be sufficient to relieve the Territory from debt at no distant period.

The Committee have received from the Treasurer the Sum of Six-thousand forty four dollars, One and a quarter Cents in Treasury notes which in pursuance of a resolution they have burnt.

4. A list of the amount of fines imposed by the Superior Courts of this Territory for violation of the Penal laws of the Territory in the years 1829 and 1830 so far as said returns have been made to the Treasurer by the several Clerks of said Courts and a list of those Counties from which no returns have been made.

Counties	Terms of Court &c.	Amount Adjudged		To whom paid	Remitted by the Governor		Balance due &c.	
		$	cts		$	cts	$	cts
Duval & Nassau	from Dec. 1828 to Apl. 1830	95.	00				95.	00
Monroe		31.	00				31.	00
Leon	Apl. 1828 to Oct 1829.	546.	93	139.00 Marshal	100.	00	307.	93
Gadsden	June 1829 to Nov. 1830.	276	12½				276	12½
Jackson & Washington	June 1830.	10	25				10	25
Walton	1830		50					50
Escambia	The returns of the clerk shows that Judgements have been obtained & fines imposed but in no instance specifies the Amount.							
Counties in Default								
St Johns & Musquitoe.								
Alachua.								
Jefferson.								
Madison.								
Hamilton.								
		959	80½	139 00	100	00	720	80½

The Governor by his private Secretary Mr C. C. Greenup informed the House that he had approved and Signed the following Acts:
"An Act to Extend the Laws over the Indians within the Territory of Florida"
"An Act to be entitled an Act, to Amend an Act entitled an Act, to Amend an Act to incorporate the town of Magnolia"
"An Act to Amend an Act regulating the Mode of Executing an Attachment"
"An Act to incorporate the Planters and Citizens Banking Company in the Eastern District of Florida."
"An Act to Amend an Act Entitled an Act, to incorporate the town of Quincy approved the 21st 1838."
"An Act establishing a Ferry over Black Creek in Duval County."
"An Act to Amend the several Act incorporating the towns of Marianna and Cobbville in Jackson County."
"An Act to Amend an Act to Constitute a Board of Trustees for Fort St Marks."
"An Act to incorporate the Trustees of Leon Academy".
"An Act to impose a tax on Hawkers and peddlers."
"An Act to establish a ferry over the Suwanee River."
"An Act to Amend an Act to organize and regulate the Militia of the Territory of Florida."
"An Act to provide for Issuing writs of Certiorari"; and
An Act concerning the County Seat of Jackson County."

And that he has rejected the following with the reasons then for to be found in the Accompanying Message Viz
An Act to Amend the several Acts passed incorporating the Bank of West-Florida, which was reconsidered and passed by the requisite Majority. Messrs Allen, Booth, Braddock, Doll, Drake, Gamble, Hodges, Jones, Sanchey, Warren and Wright, voting in the Affirmative, and the President with Messrs, Bradford, Byrd, Dunlap, and Fitzpatrick in the Negative.
"Also the Act Concerning witnesses and the Manner of Examining them attendance." the further Consideration of which was ordered to be postponed until the 4th of July next; and also.
An Act to extend the Jurisdiction of Justices of the Peace to all sums under one hundred dollars, and to withdraw such jurisdiction from the County Courts, which was reconsidered and rejected, Mr President, with Messrs, Allen, Braddock, Byrd, Fitzpatrick, Jones, Sanchey, Warren and Wright, voting the Affirmative, and Messrs. Booth, Bradford, Doll, Drake, Dunlap, Gamble, and Hodges, in the Negative.

And that he has returned with his objections thereto the following Acts, An Act to incorporate the City of Fernandina which was re-considered amended and passed:
An Act to Amend an Act Entitled, an Act Concerning members of the Legislative Council, which was re-considered and passed: Mr President, and, Messrs. Allen, Booth, Doll, Dunlap, Fitzpatrick, Gamble, Hodges, Jones Sanchey, Warren and Wright, voting in the Affirmative, And Messrs Braddock, Bradford, Byrd, and Drake, in the negative,
Mr Dell from the Committee on Enrolled Bills Reported the following Acts as correctly enrolled,
"An Act relating to injunctions,"
"An Act for the relief of L. H. Stone"
"An Act to Authorise J. W. Roberts to establish a ferry across the Suwanee River"

"An Act to incorporate a Company to be entitled the St Marks, navigation Company"
An Act to Authorise H. W. Bracken to make a Canal through the natural Bridge of the St Marks River
An Act regulating the distribution of the Laws of the Territory
"An Act to Amend the several acts passed incorporating the Banks of West-Florida"

The following Messages were recieved with the Acts rejected and those sent back for amendment by the Governor.

Executive Office
Feby 12th 1831

To the President of the Legislative Council

Sir

I return for amendment two acts one relating to the duties of Executors, administrators and Guardians, the other concerning the election of Members of the Legislative Council.

The second section of the first mentioned Act, is so vaguely written that I am doubtful of its object, and in fact, and I fear it would be liable to Misconstruction. But if I do understand it rightly, the necessity of changeing the rules of the common Law, in relation to the duties of Executors and Administrators, and Guardians on disposed as to property of decendants, or Minors is not clear to my Judgement.

The act directing that the members of the Legislative shall be elected on the first monday in November will I fear defeat the object of that clause of the Organic Law, requiring the Governor to Examine the Election returns, and to proclaim those who have been elected. I am inclined also to the belief that it will be expedient to change the time of the meeting of the Council to some day in November if Congress do not so alter their present session, As the time now is, Congress cannot Exercise their Supervising power over our Legislation under a year after the Laws have been in force, this delay will operate to produce serious confusion in our Statute Book and great disadvantages and inconveniences to our Citizens.

I return herewith Also three other Acts, to which I cannot consider my Approval = An Act Extending the Jurisdiction of Justices of the Peace and to withdraw the same from the County Courts is in my opinion calculated to produce much injury and inconvenience to our Citizens.

The number of Jury men that must be taken without due notice from their employments to attend Magistrates Courts, Through out the Territory, will be exceedingly oppressive to the people. Allow on an average there will be but ten Jury trials in each County of the Territory every Month, The number of Jurors for each County will be 120. and the Aggregate in the whole Territory will be 17.280 the loss of labour to the community! To say nothing of the interposition of all regular business be a great evil. Add to these also the other Jurors grand and petty, Summoned to the Superior Court, and the service will be oppressive to the people beyond endurance. So far from being convinced that withdrawing the Jurisdiction of the County Courts and extending the powers of Justices of the Peace, will meet the wishes or subserve the interests of the People the Executive can entertain no doubt as to the Evils and injuries such a system will produce. If the Jurisdiction of the County Courts was increased

increased and the Court were compelled, to hold quarter annual sessions the advantage to the community, would soon be apparent, Those who might be summoned as Jurors to such Court, if such should be deemed necessary (as they would have notice) would be prepared to leave their business. Suits would be sooner and more satisfactorily disposed. While the Territory would be daily improveing her Juriges and instructing her Citizens, in duties, which they must, in a short time necessarily perform, when Florida becomes a sovereign State,

The Act amending the Charter of the Banks of West Florida and increasing its Capital does not meet My approbation. The same objections which have induced me to withhold My assent to Chartering new Banks would restrain Me from Approveing amendments authoriseing those Created, to augment their Capital. But the details of this Bill are liable to other objections. Without specifying them particularly, I shall refer to that section which requires persons on presenting their notes to be redeemed in specie to make oath that the said notes, do not belong to any other Institution, A Bank should never be so independant in its views as to render it liable to become a victim to the hostility of a rival Institution in such a way. It should always be prepared to pay all its notes in specie when demanded

The Necessity or policy of the Act concerning Intrepes is not seen by the Executive. The rules of the Common Law on this Subject are distinctly laid and Amples and alterations of them by Statute often lead to confusion and disorder. The first section of the Act would admit Copersons who had been convicted of infamous crimes and to receive punishments, to become witnesses. In my opinion, having recieved the punishment for the commission of an infamous crime it is calculated to degrade and debase a Man and to lessen his pride thereby, as to render him an improper person to give Testimony, And besides it is possible to hold out this disability as a punishment for the perpetration of such Crimes, I therefore return the Act rejected.

Your Ob. Serv.
Wm P. Duval.

Executive Office
Febry 12th 1831

To The Presidents of the Legislative Council

Sir. The Sixth Section of the Act, to incorporate the City of Fernandina after vesting the mayor of the said city with the Powers of a Justice of the Peace, extends his jurisdiction in all civil cases, not exceeding one hundred dollars, And further empowers the City Council to exercise his jurisdiction, as they may think proper, This is giving to the city council almost unlimited power.

The Executive cannot think it expedient either to enlarge the jurisdiction of the Mayor, in civil Cases, or consent to such other Jurisdiction as the said Council may confer upon him. Therefore return the Act for Amendment,

I am Respectfully
your Obt. Servt,
Wm P. Duval

Mr Wright. from the committee on the Judiciary. reported a Bill to be entitled, An Act to repeal An Act. to Divorce Mary Carter from the Bed and board of Wm Carter, which had its first reading and was ordered to be read a second time to-day.

Mr Allen Asked and obtained leave to introduce a bill to be entitled An Act, relating to the courts of St Johns County which was read for the first time.

The engrossed Bill to be entitled, An Act to declare Spring creek Commonly known as Robinsons Spring creek, in Jackson County, a navigable Stream, was read a third time and passed.

Mr Booth. from the Committee of the whole, to whom had been referred the Bill to be entitled, An Act concerning Roads, Highways and Ferries. reported the same with amendments — which report was received and the Bill as amended, read a third time and passed.

Mr Allen, from the Committee of the whole to whom had been refered the the Bill to be entitled an Act Concerning. the Treasurer and Auditor of Florida reported the same with amendments which report was received and the rules of the House were waived. the Bill as amended read a third time and passed. Mr President with Messrs. Booth, Broadnax, Byrd, Doll, Drake Dunlap, Fitzpatrick, Hodges, Sanchez, Warren & Wright. voting in the Affirmative and Messrs Allen, Bradford and Byrd in the Negative.

The Bill to be entitled, An Act relating to Judgements and Executions, was read a second and third time and passed.

In Consequence of the Petition of Thomas Brown. and J. W. Mitchell read this morning the vote on the Bill concerning the Boundary line of Leon and Jefferson counties, was reconsidered, and the Bill committed to a committee of the whole: Mr. Allen from that Committee, reported the same back to the House, without amendments; which report was received, and the same read a third time and passed: Messrs. Broadnax, Bradford, Byrd Drake, Dunlap, Gautier, Hodges, and Sanchez, voting in the Affirmative and Mr President, with Messrs Allen, Doll, Fitzpatrick, & Wright in the negative

The Bill to be entitled, An Act for the relief of Judith Cain formerly Judith Crosby was read a second, and third, time and passed Messrs Allen, Booth, Broadnax, Byrd, Doll, Drake, Fitzpatrick, Gautier Hodges, and Warren voting in the Affirmative. and Mr President with Messrs Bradford and Dunlap. in the negative.

The Bill to be entitled, An Act to repeal an Act to divorce Mary Carter from the Bed and Board of her husband Wm Carter was read a second and third time and passed.

The Bill to be entitled, An Act to submit to arbitration the Matters in controversy between the Commissioners of Tallahassee and Messrs Thornton & Billings was read a second time and the further consideration thereof postponed until the 4th day of July next.

The further consideration of an Act in relation to the revenue of the Territory was postponed until the 4th day March next. Mr President with Messrs Booth, Byrd, Doll, Drake, Dunlap, Hodges and Warren voting in the Affirmative, and Messrs Allen, Broadnax Fitzpatrick, Gautier, Jones and Wright in the Negative

The further consideration of an Act to amend the act regulating Judicial proceedings was postponed until until the 4th day of July next.

The Bill to be entitled, An Act to extend the boundary lines of St Johns and Duval counties, was read a second time and committed to a Committee of the whole: Mr Bradford, from that Committee reported the same with an Amendment, which report was received,

It was then moved to strike out the Amendment reported from the committee, which contemplated the annexation of Nassau to the county of St Johns. and was lost. Messrs, Allen, Booth, Broadlock, Dunlap, Filspatrick, Jones and Sanchez voting in the affirmative and Mr President, with the Messrs Bradford, Byrd, Dell Drake, Gautier, Hodges, Warren and Wright, in the negative,

It was then moved to strike out the Second section of the Bill, which provided the annexation of Nassau to Duval County, was read and lost, Messrs Allen. Broadlock, Dunlap. Filspatrick. Jones and Sanchez in the affirmative, and Mr President: with Messrs. Booth, Bradford, Byrd Dell, Drake, Gautier, Hodges, Warren and Wright in the Negative

It was moved to postpone the further consideration of the Bill to the 4th day of July next and lost.

The Bill was then put on its final passage and lost: Mr President with Messrs, Allen, Bradford, Byrd, Drake, and Sanchez voting in the Affirmative, and Messrs, Booth. Broadlock. Dell, Dunlap Filspatrick, Gautier. Hodges. Jones, Warren & Wright in the Negative.

The Bill to be entitled, An Act regulating the fees of certain officers. was read a second time and committed to a committee of the whole. Mr Warren from that committee reported the Bill with amendments, which report was received,

The Bill to be entitled, An Act Concerning Criminals and to repeal an Act therein Mentioned, was read a second time and ordered to be engrossed and read a third time to-Morrow.

Certain nominations for officers in the various Counties in the Territory, were offered to the Council from the Governor and Concurred in.

The House then adjourned until to morrow 10 O Clock. =

Sunday 13th Febr. 1831.

The House met pursuant to adjournment and a quorum being present the Minutes of the preceding day were read.

Mr Gautier asked and obtained leave to introduce a bill to be entitled, An Act, concerning the laws of this Session, which was read its first, second and third time and passed.

Mr Byrd introduced a Bill to be entitled, An Act, to amend an Act, to incorporate the City of Tallahassee, which was read a first, second, and third time, and passed,

Mr Byrd presented a petition from B. G. Thornton which was read, Ordered that the petitioner have leave to withdraw the same.

The resolution following was presented by Mr Dunlap, was read and adopted:
Resolved. That the Governor be requested to have the Laws of this Session bound before distribution and that he draw for the expence thereof out of the Appropriation by Congress.
The resolution following was offered by Mr. Gautier, was read and adopted:
Resolved that the Secretary of the Territory be and he is hereby requested to receive from the Chief Clerk the furniture, Stationary, papers &c. belonging to the Legislative Council, and take the same into his keeping and charge for the use of the Legislative Council, at its next Session, And that the Chief Clerk furnish the Secretary an inventory to be by him receipted and filed in the auditors office,
The resolution following was offered by Mr Booth, and Carried, Nem. Con.
Resolved, unanimously that the thanks of this House be tendered to the Honble. A. Bellamy for the able, dignified and impartial manner in which he has discharged the duties of President of this House during its present Session.
The preamble and resolution offered by Mr Booth on the former day concerning the location of the Branch Bank of the United States, was taken up read and rejected:
Messrs. Allen, Booth, Bradford, Dunlap, Jones, Sanchez and Warren voting in the Affirmative, And Mr. President, with Messrs. Broadnax, Byrd, Dell, Drake, Fitzpatrick, Gautier, Hodges and Wright, in the Negative.
The Preambles and resolution offered by Mr Gautier on yesterday, was called up read and adopted.
The resolution offered by Mr Dell, on a former day in relation to Territorial Seals, was called up read and adopted; Mr President, and Messrs Allen Booth, Broadnax, Byrd, Dell, Dunlap, Gautier, Hodges and Warren, Voting in the Affirmative, and Messrs. Bradford, Drake, Fitzpatrick Jones Sanchez and Wright, in the Negative.
Mr Bradford asked and obtained leave for William Wyatt to withdraw, the papers and documents presented by him to the present Legislative Council.
Mr Dell from the Committee on Enrolled Bills reported the following Acts as correctly enrolled; viz.
"An Act relating to Judgements and Executions"
"An Act to Amend an Act to incorporate the City of Tallahassee";
"An Act Concerning the Laws of this Session";
"An Act to provide for the Compensation of the officers of the Legislative Council and for other purposes,"
"An Act to repeal an Act to Divorce Mary Carter from the Bed, and Board of her husband William. Carter;"
"An Act to Declare Spring Creek, Commonly known as Robinsons Spring Creek in Jackson County, a Navigable Stream";
"An Act for the relief of Judith Cross formerly Judith Crosby;"
"An Act Concerning the Boundary line of the County of Leon;"
"An Act to Amend the several Acts, Concerning, Roads, Highways, and Ferries;"
"An Act Concerning Criminals and to repeal an Act therein Mentioned;"
Mr Bradford submitted the following report which was read:
The Select Committee to whom was refered the report of the board of Directors appointed by an Act of the last Legislative Council and the accompanying documents respectfully

Report. that from an examination of the papers

referred to them, it appears that the board of Directors, on the 28th of December 1829. refused to make any further advances to Messrs Thornton & Wicks on account of the Contract for building the Capitol, until further progress was made with the building. In Consequence of this refusal, it appears, that the Contractors have suspended all preparations for the Building, and one of them has commenced a suit against the Commissioners for damages; it also appears, that the board of directors, have ordered suits to be commenced on the Bonds of the Contractors which suits are now pending in the superior Court of Leon County. They consider that it was perfectly in accordance with the principles of Justice, to leave the settlement of the Matter to Arbitration, as recommended by the board of Directors. But as your Committee reported, recommended a Bill for that purpose, which was not accepted by the Council, they Conceive that it would Now be improper, to say any thing further on the subject which might have the slightest tendency to bias the decision of the two Cases in Court, Now pending.

It appears that, a laborious investigation of the whole of the Matters connected with the making of the Contracts for the building of the Capitol, and the expenditure of the Money arising from the sale of Lots in Tallahassee, was made during the last Legislative Council and to which they beg leave to refer; And they deem Necessary to go again into that laborious investigation, unless there was some prospect of Beneficial result to the Territory.

They have gathered but few additional facts which were not reported to the Legislative Council. The Contractors for building the Capitol State that, they made a Contract with the Commissioner John P. Duval and gave bonds and security for a compliance with it; that some time after this was done, Another Contract was made changing from the first without the Knowlege of their securities, and the first Contract cancelled. This they allege was done, with the Consent and approbation of the Commissioner

The Committee cannot for the Reasons before Stated express any Opinion as to the propriety of such a proceeding, or how far the Commissioner acted in good faith to the Interest of the Territory. in permitting an alteration of the Kind without the approbation of the securities.

The Committee have annexed the various Items of Expenditure and have annexed hereto an exhibit, which they respectfully be taken as a part of their report, shewing the various objects to which the money arising from the sale of Lots in Tallahassee, has been applied. Upon reference to the Laws of the United States, upon this Subject, it will be perceived that the land reserved for the Seat of Government, may be sold "for the purpose of erecting piers for the Erection of Public buildings at said Seat of Government." And further that "the proceeds of the Quarter sections of Lands authorized to be sold." "shall be applied to the Erection of public buildings in Tallahassee." And by reference to the Acts of this Territory it will appear that it was enacted in 1824, "that the Money arising from the sale of said Lots shall be exclusively appropriated to the Erection of Public Buildings for the said Territory;" and it further appears that in 1837 it was enacted "that the Money arising from the sale of Lots in the City of Tallahassee, shall not be used for any other purpose, than for" paying the debt already due for the Erection of the Capitol "and for the Erection of the balance of the buildings. "which may be provided for by Law." And notwithstanding these explicit and specific enactments of the United States and of this Territory, it will be perceived by the annexed Exhibit that upwards of $200

has been paid to T. Linn and C.C. Greenup. for auditing Accts. $890 for cleaning out the Streets of Tallahassee; $401 to J.D. Davenport for printing &c $355 to J.Y. Garey, as clerk, Administering oaths &c; 1383 for recording deeds. Costs in Suits etc and to John P. Duval $1035, as fees as an Attorney. The Committee cannot hesitate to express their opinion, that a large proportion of these sums & even they believe many others have been paid out contrary to Law. They therefore, recommend the adoption of the following resolutions.

Resolved, that the Board of Directors of the Commissioners of Tallahassee be and they are hereby authorized, to examine all the Vouchers for the payments of Money, arising from the sale of lots in Tallahassee, and when they shall find that any of the said money has been paid out or expended contrary to any act of this Territory they shall report to the next Legislature Council the Names of those by whom it was, or authorized to be paid; the amount so paid, and to whom they may find to have been so improperly expended.

Be it further resolved that if the said District Attorney shall find upon an examination of the subject, that any of the persons who have acted as commissioners; have not faithfully discharged their duty, Legally by Law, or have made any Contracts, or paid, or authorized any money to be paid, by by which, the Territory will probably sustain loss, that he shall be and is hereby authorized to commence suits, against them for the neglect of any duty, or for any loss, or damages which the Territory may sustain by any such improper Contracts

And be it further resolved, that the said District attorney shall be and he is hereby authorized, to examine all the books, papers and bonds, connected with the Office of commissioners of Tallahassee.

Exhibit Shewing the present State of the Tallahassee Fund.

Original proceeds amounts of the sale of lots		40.742.37
Amounts Advanced to B.G. Thornton	4032.30	
Do Do do J. H. Willis	2376.84	
Do for Building the present Wing	9009.00	15.420.14
Leaving a balance of		$25322.23

Of this sum there has been paid,

For cleaning the Streets of Tallahassee	890.00	
To Robert Fuller for Plan of the Capitol	100.00	
To T. Linn and C.C. Greenup, Auditors in Chg	221.00	
To J. D. Davenport for Printing &c	401.25	
For recording deeds. Costs in Suits &c	1383.00	
To John G. Garey as Clerk, Administering Oaths &c	355.87	
To John P. Duval as Attorneys fees	1035.00	
	4386.12	
Expended in Commissions and various other purposes	4389.53	9175.65
		16.146.58

Of the amounts of notes the commissioner states that about two thirds may be realised, that with the Cash on Hand would make of available funds about $11.500. This sum if it was collected, it is believed is too small to authorise the commencement of a new Building, and with some repairs it is supposed that the Present one will conside. very well for several years. They therefore recommend the following resolution.

Resolved, that the commissioners of Tallahassee under the authority and direction of the board of Directors be and he is hereby authorised &c

to have the capitol, repaired in a suitable manner; and that the sum of $800 or such part of it as may be necessary now in hand be applied to that purpose.

The first resolution was so amended as to read - "The board of Directors of the Commissioners of Tallahassee "be and they are hereby authorized to examine all the vouchers for the payments of Money arising from the sale of lots in Tallahassee; and when they shall find that any of the said Money has been paid out or expended contrary to any act of this Territory, They shall report to the next Legislative Council the names of those to whom such sums paid or authorized to be paid, the amount so paid and to whom, which they may find to have been so improperly expended.- and the resolution, so Amended, was adopted.

The second resolution, accompanying the report was rejected,

The Third resolution, was also read and rejected: Mr President with Messrs, Allen, Braddock, Bradford, Byrd, Gautier, Hodges and Jones. voting in the affirmative, And Messrs. Booth, Dell, Drake, Dunlap, Fitzpatrick, Sanchez Warren and Wright. in the Negative,

The last resolution, was so amended as to read the Commissioners of Tallahassee, under the authority and direction of the Board of Directors." &c = and the sum of $500 was changed into $ 800. thus amended the resolution was adopted Mr. President, with Messrs. Booth, Braddock. Bradford, Byrd, Dell, Dunlap, Gautier. Hodges, Sanchez. Warren and Wright. voting in the affirmative And Messrs, Allen. Drake. Fitzpatrick and Jones in the Negative.

The Bill to be entitled, An Act concerning the Treasurer and Auditor of Florida was read a third time and passed, Mr President, with Messrs. Booth, Braddock, Byrd, Dell. Dunlap, Gautier, Hodges, Sanchez. Warren and Wright- Voting in the affirmative; and Messrs. Allen, Bradford, Fitzpatrick Drake and Jones in the negatives.

The Bill, to be entitled, An Act relating to the county Court of St Johns County was read a second and third time and passed;

The further consideration of the Bill to be entitled, An Act to amend an Act to regulate the election of members to the Legislative Council was indefinitely postponed; Messrs, Allen, Braddock, Dell, Drake, Dunlap, Fitzpatrick, Gautier, Jones, Sanchez, Warren, and Wright, voting in the Affirmative And, Messrs President, Booth, Bradford, Byrd, and Hodges in the Negative,

The Bill to be entitled, An Act to provide for the compensation of the Officers of the Legislative Council and for other purposes was read a second time and committed to a committee of the whole: Mr Wright from that committee reported the Bill with amendments - which report was agreed to - The rules of the House were then waved and the Bill read a third time and passed.

The Governor transmitted certain communications which were read and concured in

The Governor returned the act providing for the permanent location of the seat of Government in the Territory of Florida rejected with his reasons contained in the Accompanying message.

S. 12 Act was reconsidered and passed by the requisite majority. Messrs. Allen. Booth. Braddock. Drake. Dunlap. Fitzpatrick. Gaulter. Hodges. Jones. Sanders. Stanley voting in the affirmative. and Mr President with Messrs Bradford Byrd and Wright in the negative.

We also returned the following acts. An Act to incorporate a company to be called the St Marks Navigation Company; and An Act to authorize N.W. Braden to cut a canal through the Natural Bridge on the St Marks River which were reconsidered and passed by the requisite majorities Messrs. Allen. Booth. Braddock. Byrd. Drake. Dunlap. Fitzpatrick. Gaulter. Hodges. Jones. Sanders and Warren and Mr. President voting in the Affirmative. and Messrs Bradford. Dell. and Wright in the Negative.

We also agreed to the Act for the relief of Judith Cain. formerly Judith Crosby which was reconsidered and passed by the requisite majority: Messrs Allen. Booth. Braddock. Byrd. Dell. Drake. Fitzpatrick. Gaulter Hodges and Warren. voting in the affirmative and Mr President with Messrs. Bradford and Dunlap. in the negative.

The House then adjourned sine die. —

John K. Campbell. Clerk.